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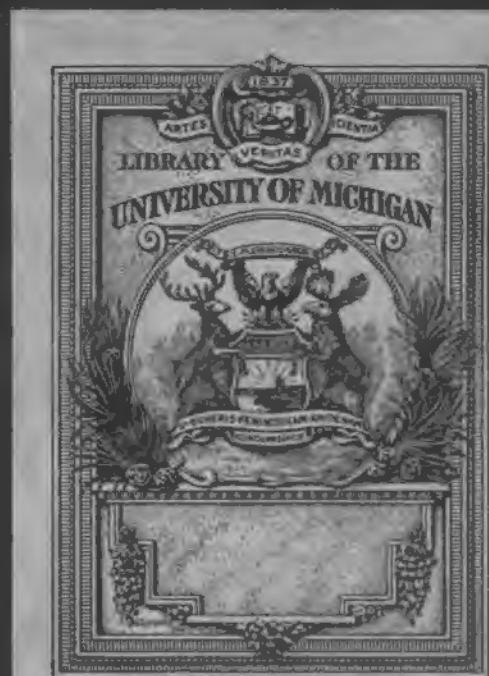
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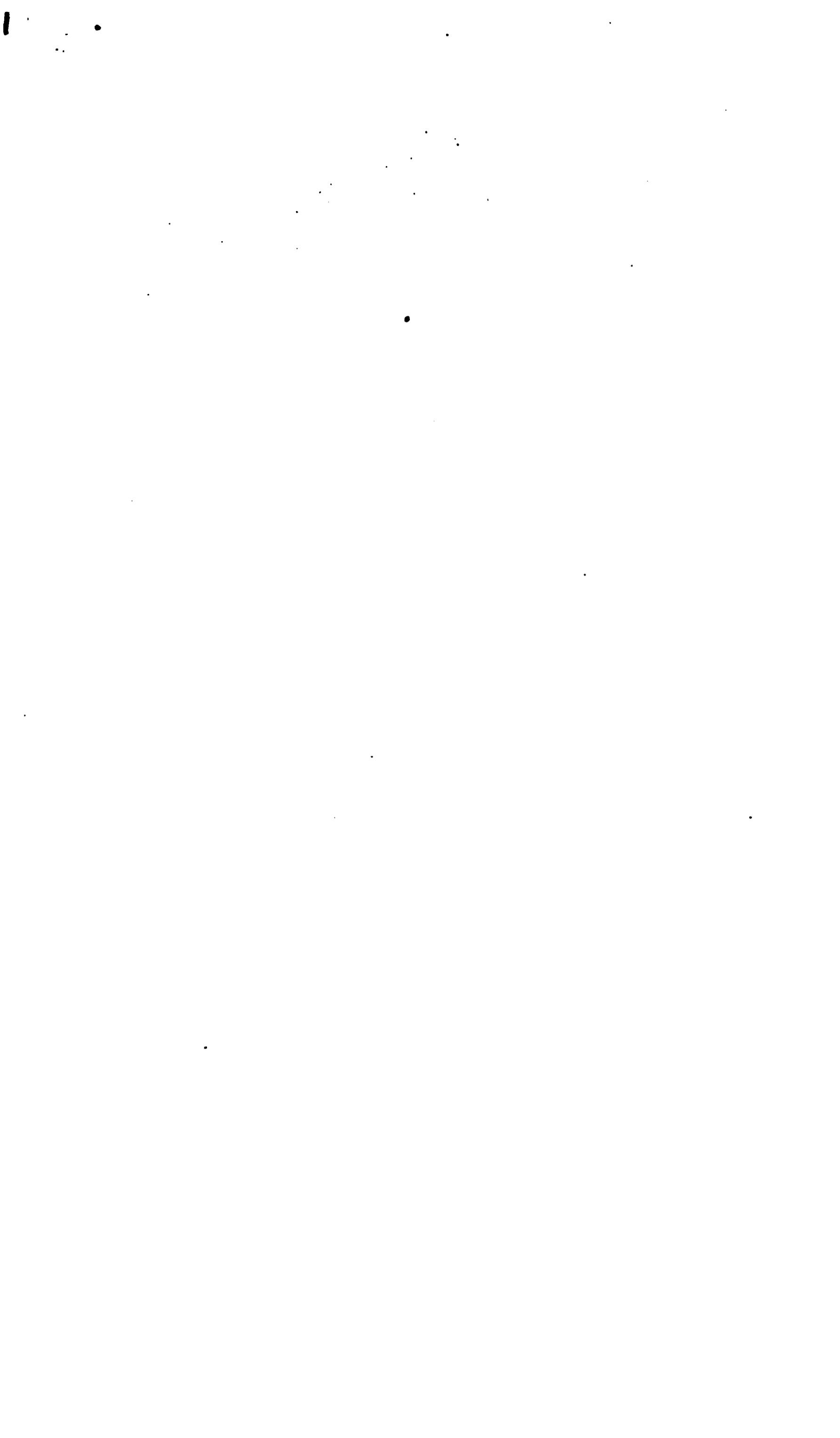
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in the election of Henry IV.\* The first entail of the crown originates solely and expressly in the Commons, as if they, as the representatives of the entire community, had the best—we may almost say, the only—right to originate such a proposal.† The second entail originates also expressly with them. The right of inheritance to the crown is determined as a judicial question by the Lords alone, but to the subsequent arrangements the Commons are parties. Again, the settlement of the crown in the first year of Edward IV, originates with the Commons.‡ The bill for settling it on Richard III, appears as the work of Lords and Commons, without any data to shew with which it originated.§ That for settling it on Henry VII originates with the Commons,|| as does also the proposal to put an end to all controversy respecting it, by his marriage with the daughter of Edward IV; which last, being merely a verbal request, the Lords repeat after the Commons in an humble tone.¶ Petitions for the confirmation of a queen's dowry, and of the gift of the reversion of Richmond castle to the Duke of Bedford by Henry V, for the reversal of attainders, for grants of lands and privileges, &c. &c. when addressed to the king, are, in the first instance, referred to them, and after the significant entry, "a cest bille les communes sount assentuz," are taken into consideration by the King and Lords.\*\* The best possible criterion of their power, is the opinion entertained of them by their contemporaries, as indicated by the number of petitions presented to them. In early times most petitions were addressed to the king, or to the king and his council. In the reign of Henry IV many of them are addressed to the Lords and Commons, and some to the Commons only: in the reign of Henry V almost every petition on the rolls from commoners is addressed to the Commons, except a few from the universities and the king's own tenants. The same observation applies, but not with exactly the same strictness, to the subsequent reigns, up to that of Henry VII. Not only do all commoners petition them, but many persons belonging to

\* See Rot. P. 1 Hen. 4, 423.

† See the entire proceedings, Id. 8 Hen. 4, 574, 5, 6; 580, 1, 2.

‡ Id. 1 Edw. 4, 462, 3, 4, 5, 6, 7.

§ See Rolls, 1 Ric. 3, 240, &c.

|| Id. 1 Hen. 7, 270.

¶ Ib. 278. "Eandem requestam fecerunt voce dimissa." "The faction which raised Henry insisted, for their own protection, on his marriage with Elizabeth." "The marriage was humiliating to him."--Brod. Hist. vol. i. p. 21.

\*\* See Id. 11 & 12 Hen. 6, 459, 461, 463, 465, 473-4; 4 Edw. 4, 518-9, 535; 14 Edw. 4, 166, &c. &c.

the peerage; who, if the upper house were then the exclusive depository of power, would not certainly have condescended to ask favours of the lower. The soldiers in Picardy and Calais petition them respecting their wages;\* the Duke of Gloucester, being captain of Calais, petitions them to authorise the treasurer of England, if the subsidy granted for the payment of his soldiers there should not be sufficient, to pay them out of some other funds;† the Earl of Warwick petitions them, that whereas the king had appointed him captain of Calais and the tower of Risenbanke, and he could not obtain possession of either, they would pray the king to ordain, by the authority of parliament, that he should not be impeached for anything that might happen to those places before he could get possession of them;‡ and the Countess of Warwick petitions them for the repeal of the act by which she was deprived of her titles and inheritances.§ It is unnecessary to swell this catalogue. There is not a single petition in the last volume of the rolls, embracing from the twelfth year of Edward IV to the last parliament of Henry VII, granted without their assent.|| Their assent is required to pardons;¶ to depriving a peer of his dignity;\*\* to confirming the king's gift of a manor;†† and a feoffment of lands to certain persons who were to stand seized thereof to the use of his will.††† In short, it would be difficult to say what could be done without their assent; and we beg of their maligners to point out a single thing that cannot be done without their consent now, that could be done without it then. We find innumerable instances of their recommending persons for military or other services to the king's attention;§§ of their praising or impeaching ministers or others for their conduct in war or peace;|||| of

\* Id. 2 Hen. 5, 55; 9 Hen. 5, 159.

† Id. 15 Hen. 6, 499.

‡ Id. 33 Hen. 6, 341. See a petition of the Duke of Bedford's to the King, to allow him, "by the authority of this present parliament," to appoint a deputy keeper of Berwick Castle.—4 Hen. 6, 301.

§ Id. 3 Hen. 7, 392; see also 4 Hen. 7, 424, 5.

|| There is a petition from the Countess of Richmond, praying for a reversal of a statute, by the advice and assent of King, Lords, and Commons, which is expressed to be granted by the advice of King and Lords. But this must be a clerical mistake, as no statute could be reversed without the assent of the Commons.—Id. 7 Hen. 7, 448.

¶ Id. 7 & 8 Edw. 4, 617, 18.

\*\* 17 Edw. 4, 173.

†† Id. 31 & 32 Hen. 6, 253.

††† Id. 7 Hen. 7, 444.

§§ Id. 2 Hen. 4, 459; 4 Hen. 4, 486, 7, 8; 6 Hen. 4, 552; Id. 7 & 8 Hen. 4, 577; Id. 9 Hen. 4, 610; 11 Hen. 4, 634; 6 Hen. 6, 318; 33 Hen. 6, 73; 22 Edw. 4, 197; &c. &c.

|||| Id. 7 Ric. 2, 153-7; 11 Ric. 2, 232-242; 21 Ric. 2, 364; 28 Hen. 6, 179, &c.

their interfering as to the treatment and exchange of prisoners of war.\* Edward III consults them as to the propriety of making his son-in-law, the Seigneur de Coucy, an earl.† At their request John Holand is made Earl of Huntingdon,‡ Jasper of Hatfield, Earl of Pembroke;§ and the Bishop of Ely recommended to the Pope for promotion to the see of Canterbury.||

But if their power and importance be admitted, we shall be next told that they were indulged with both, merely because the king found them convenient tools for voting to him the property of the people, and executing his mandates with the forms of law. Again, we ask, where are the proofs? The precedents already cited, and the numerous statutes for the protection of the liberties of the subject obtained by them, are the best refutation of the latter part of the charge. Let us see what was their conduct with regard to money affairs. In 1339 they refuse an aid till they consult with their constituents.¶ At the following session they agree to give one, under certain conditions, comprised in indentures made for this purpose, so that if the conditions should not be granted they should not be bound to give the aid;\*\* and thus force from Edward some most valuable laws.†† Those of the following year are granted also as the price of an aid.††† In 1344 they give an aid for renewing the war in France, under several conditions, the two first of which are, that the money should be expended, by the advice of the peers, in the business pointed out at this parliament, and that the petitions which they had presented should be granted. To all the conditions the king assents. §§ The valuable statutes of the 25th

\* Id. 21 Edw. 3, 165; 22 Edw. 3, 202 a; 50 Edw. 3, 343; 2 Ric. 2, 62 b; 5 Hen. 4, 527; 7 & 8 Hen. 4, 580; 2 Hen. 6, 247 a; 3 Hen. 6, 283, 4; 8 Hen. 6, 338 b; 11 Hen. 6, 440 a; 11 & 12 Hen. 6, 455; 14 Hen. 6, 488, 9; 28 Hen. 6, 178; &c. &c. It was one of the articles of impeachment against De Veer, Tre-silian, and Richard's other favourites, that they delivered up John de Blois, "who was a prisoner, and a treasure to the king and his kingdom, without the assent of parliament and the great council of the king," &c. &c.—Id. 11 Ric. 2, 232. Henry VI remits the arrears of the Count de Vendome's ransom, by the advice and assent of Lords and Commons.—Id. 4 Hen. 6, 300. The Commons reckon the ransoms of the French and Scottish kings as part of the public resources.—Id. 50 Edw. 3, 322.

+ Rep. on Dignity of a Peer, vol. i. 326.

† Rot. P. 11 Ric. 2, 250.

§ Id. 31 & 32 Hen. 6, 253.

|| Id. 32 Hen. 6, 450.

¶ Id. 13 Edw. 3, 104.

\*\* Id. 107.

†† 14 Edw. 3, stat. 1, 2, 3.

††† See Stat. of Realm & Rot. P. 15 Edw. 3, 131.

§§ Id. 18 Edw. 3, 148. See, for similar transactions, id. 22 Edw. 3, p. 200; 29 Edw. 3, 265; 47 Edw. 3, 317: 4 Ric. 2, 90; 8 Ric. 2, 204; 11 Ric. 2, 244; 15 Ric. 2, 285; 13 Hen. 4, 648; 4 Hen. 5, 95: 9 Hen. 5, 151; 2 Hen. 6, 200.

year of this reign appear on the rolls very much in the nature of conditions for an aid.\* In 1376, they remonstrate, and say that if the king had proper officers to manage his revenues he would not want a subsidy. In Edward's last parliament they grant an aid, and request that four earls and barons should be sworn before them to receive the amount, and to expend it in the prosecution of the war and for no other purpose; and that the high-treasurer should not receive any of it, or meddle in any manner with it;† but, subsequently, considering the expenses of these treasurers, they allow the high-treasurer to receive it in the usual way.‡ At the first parliament of Richard II, they make several demands, and declare that when these are settled they will consider of the grant necessary for the defence of the realm.§ The following session they remonstrate on the demand of an aid; state the king's resources in excuse for not granting one; desire to know how the last subsidy was expended; and, on being answered that it had been paid away for the purposes of the war by the two treasurers assigned and sworn at the last parliament, and that not a penny of it came to the hands of the high-treasurer, or any one else, for the use of the king, they demand an account of the receipts and expenses, which they obtain, with a protestation from the king that he granted them not as a matter of right, or to form a precedent, but to please his Commons.|| This protestation availed little, as at the next session he informs them that the treasurer's accounts are ready to be laid before them, even before they ask for them. On his asking an aid, and telling them that the royal jewels had been pledged to raise money for the war, they answer, that had he been reasonably regulated in his expenses he would not want any subsidy, and exact, as the price of a supply, the grant of a commission to nine persons chosen in parliament, to inquire into all manner of abuses in every court, office, and place in the kingdom.¶ On obtaining a specification of the several sums required for the war in 1380, they declare the amount demanded "very outrageous and entirely unsupportable;\*\* and at length agree to a reduced sum, on condition that it should

\* See id. 25 Edw. 3, 237.

† "Qe le haut Tresorier d'Engleterre n'eut prenoit rienz ne se medleroit en aucune manere." Id. 51 Edw. 3, 364.

‡ Ib.

§ Id. 1 Ric. 2, 15.

|| 2 Ric. 2, 35. See other instances of treasurers appointed or charged in parliament to receive, disburse, and account for subsidies. Id. 8 Ric. 2, 204; 9 Ric. 2, 213; 6 Hen. 4, 546; 7 & 8 Hen. 4, 569-577. ¶ Id. 3 Ric. 2, 73-74.

\*\* "Est moelt outrageouse et oultrement importable a eux." Id. 4 Ric. 2, 89

be expended solely in the prosecution of the war, the defence of the realm, and the safeguard of the sea.\* In 1383 they give a subsidy under several conditions; one of which is, that if a peace or truce should be agreed to before the second part of it should be due, *not a penny of it should be levied*;† and in 1454 they refuse one altogether, on the ground that the former grants were sufficient; adding, “for they *kan not, may not, ne dar not* make any moo grantes, considered the great povert and penurie that be among the communes of this land for whom they be coinen at this tyme.”‡

But “in those times” the commons could have had no real freedom of speech or discussion. Perhaps not. One of the ablest Protestant constitutional writers, Petyt, declares, as we noticed in a former paper, the first violation of the privilege of freedom of speech for redress of grievances, to have occurred in the reign of Richard II, *the second in that of Elizabeth.*§ It is true that De La Mere was imprisoned in the last year of Edward III, for his activity against Alice Perrers and the king’s other favourites; but those who committed him dared not to charge him with what he had done as speaker, and the rows “kicked up” by the citizens of London and others, demanding his liberation or trial,|| and his re-election, as a member and speaker, to Richard’s first parliament, prove how highly the people then prized the rights of their representatives. The instance mentioned by Petyt is that of one Thomas Haxey—a priest by the bye—who proposed a bill in the Commons to provide that, “whereas the expenses of the royal household had been increased beyond what they had been in preceding times, by the multitude of bishops and ladies and their attendants living there, the bishops should be compelled to reside in their own seignories, to the relief of the king and his people,”¶ &c. &c. Richard being at the time inflated with his notions of the greatness and inviolability of his prerogatives, caused Haxey to be convicted by the Lords as a traitor, having made them first resolve, “That if any one, of what state or condition soever, should move or excite the Commons of the parliament, or any other person, to make

\* Id. 90, 3, 4.

† “Q’alors *nul denier de la darreign moitee du Quinzisme soit levez ne brief issez pur la levez.”* Id. 7 Ric. 2, 151, 6. See similar conditions, Id. 8 Ric. 2, 185; 10 Ric. 2, 221; 16 Ric. 2, 301.

‡ Id. 31 & 32 Hen. 6, 240.

§ Dub. Rev. No. 13, art. 2, p. 41.

|| See Lingard, vol. iii. 104. Those who committed this first violation of the Commons’ privileges were the great patrons of Wycklyffe—a mere coincidence, of course.

¶ Rot. P. 20 Ric. 2, 406.

remedy or reformation of anything which concerned the king's person, his government, or regality, he should be held for a traitor."\* On the application of the prelates, Richard spared his life, and surrendered him to the archbishop of Canterbury, and in less than four months gave him a full pardon.† With this, however, neither he nor the Commons felt satisfied; and in the first session of Henry IV, he petitioned that the judgment should be quashed and annulled as erroneous, being "against right and the course which had been before in the parliament."‡ The Commons pray in like manner, "as well for the accomplishment of right as for the preservation of their liberties,"§ that it should be quashed as erroneous, being "contrary to right and the course which had been before used in parliament, to the destruction of the customs of the said Commons."|| The king and Lords having examined the record and process, adjudged that it should be "quashed, reversed, repealed, and annulled, and held of no force or effect."¶ Such was the result of the first attempt to violate the privileges of the Commons. In the second year of Henry IV, they request him that, as it might happen on certain matters to be moved among them, some of their companions, to please him and advance themselves, might tell him those matters before they were determined, discussed, and accorded among them, whereby he might be grievously moved against all or some of them, he should not allow any such person to tell him such matters, nor give him any hearing, faith, or credit: whereupon it was answered, on the part of the king, that the Commons might commune and treat of all matters among themselves, to bring them to the best end and conclusion, according to their knowledge, for the good and honour of him and the entire realm, and that he would not hear any such person or give him credit, before such matters should be declared to him by the advice and assent of all the Commons, according to the purport of their prayer.\*\* In

\* Id. 407, 8.

† Id. 341, 339.

‡ "En contre droit et la curse quel avoit este devant en parlement ..... ycell juggement casser et adnoller come erronous. Id. 430.

§ "Si bien en accomplissement du droit come pur salvation des libertes de lez ditz Communes."

|| "Encontre droit et la course quel avoit este use devant en parlement, en anientismen des costumes de les ditz Communes." Id. 434.

¶ Id. 430.

\*\* "Coment sur certaines matires a movers entre eux y purroit avenir q'ascun de leur compagnons pur faire plaisir au roy et pur avauncer soy mesmes conteroit a mesme nostre seigneur le roy des tieles matires devaunt qu'els fuissent determinez et discussez ou accordez entre mesmes les communes par ont mesme nostre seigneur le roy purroit estre moevez grevouusement envers les ditz com-

1407, Henry, anxious to get a subsidy, asked the Lords what they would give; and being told by them what they thought would do, he sent a message to the Commons, desiring that a certain number of them should come up to hear and report what they should have in command from him. Twelve members having come up, he repeats to them the question he had put to the Lords and their answer, and desires them to report both to the whole House. “ Which report being made to the said Commons, they were *greatly disturbed*, saying and affirming that this was in great prejudice and derogation of their liberties: and when our said lord the king understood this, not wishing that anything should be done now or hereafter, which could turn in any way against the liberty of the estate, for which they have come to the parliament, nor against the liberties of the Lords aforesaid, wishes, grants, and declares, by the advice and assent of the said Lords, in manner following: -that is to say—that it may be lawful for the Lords to commune among themselves in this present parliament and every other in time to come, in the absence of the king, concerning the state of the realm, and the remedy necessary for it; and, in like manner, that it may be lawful for the Commons, on their part, to commune together respecting the state and remedy aforesaid. Provided always, that the Lords on their part, and the Commons on their part, shall make no report to our said lord the king of any *grant granted by the Commons and assented to by the Lords*, nor of the communications respecting the said grant, until the same Lords and Commons shall be of one accord and assent in this part; and *then in manner and form as has been accustomed, that is to say, by the mouth of the speaker of the said Commons for the time being.*”\* This entire record was drawn up by the Commons and thus inserted at their request. In 1450 one Young, a lawyer, proposed in the Commons to declare the duke of York heir to the crown, and was com-

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munes ou ascun de eux: sur quoi ils prirent molt humblement a nostre seigneur le roy q'il ne voloit accepter nule tiele personne de luy conter nules tieles matires ne luy doner ascout ne ascune foie ne credence celle partie. A quoi leur feust responduz de par le roy qe sa volonte est qe mesmes les communes aient deliberation et avis a communer et traiter toutes les matires entre eux mesmes pur les mesme a meilleur fyn et conclusion a leur escience pur les bien et honour de luy et de tout son roialme. Et q'il ne vorroit oier nule tiele persone ne luy doner credence devaunt qe tieles matires feussent montrez au roy par avis et assent des touts les communes solonc le purport de leur dit prier.” Id. 2 Hen. 4, 456. See also 5 Hen. 4, 523.

\* “ Quele report ensi fait as ditz communes ils eut furent grandement destourbez en disant et affirmant ce estre en grant prejudice et derogation de lour libertees,” &c. &c. Id. 9 Hen. 4, 611.

mitted to the Tower.\* Notwithstanding the excitement of the period and the nature of the proposal, those in power did not dare to allege his conduct in the Commons as the ground of his committal. He afterwards petitioned the Commons for redress—thus setting forth the privilege and the breach of it in his person. “Notwithstanding that by *the olde liberte and freedom of the Comyns of this lande had enjoyed and prescribed fro the tyme that no mynde is, all suche persones as for the tyme ben assembled in eny parlement for the same Comyns ought to have their fredom to speke and sey en the hous of their assemble as to theym is thought conrenyent or resonable, without eny maner, chalenge, charge, or punicion therefore to be to them en eny wyse.* Nevertheless, by untrewe sinistre reportes made to the kinge’s highnesse of your said bisecher, for matiers by him in the hous accustomed for the Comyns in the said parlementes, he was therefore taken arrested,” and openly led to the Tower and put in fear of bodily pain and the loss of his life, “without eny enditement, presentemente, appele, due original, accusement or cause lawful had or sued agenst him, as it is openly known, the not mowyng come to eny answere or declaration in that partie.”† Petyt is obviously right in not noticing this as a breach of privilege, more than he should the committal by rude force of any other subject.

The most characteristic argument of modern times against the power and influence of the ancient Commons, is that which is founded on the fact of there being no sufficient evidence of bribery and corruption having been practised in the house or at the hustings. Had the ancient assemblies of Greece and Rome no power or influence till they made them marketable commodities? Had the cortes of Spain, the states of France, the diets of Germany, the councils of the Italian republics, no power or influence till Protestantism rose to disenthral human nature? Are we to look upon all history as a fiction, because the events it records are inconsistent with Protestant practices? But, to descend to a level with Protestant notions, and to settle the matter according to the Stock Exchange—as soon as the limitation of the right of election in counties to forty-shilling freeholders rendered bribery and corruption feasible, they began to be practised. Then we find sheriffs, “now of late, for their singular avail and lucre,” making undue returns,‡ and the germ laid of that system of chicanery, intimidation, and corruption of all sorts, which, by the aid

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\* Lingard, vol. v. 141.    † Rot. P. 33 Hen. 6, 337.    ‡ 23 Hen. 6, c. 15.

of Protestantism and enlightenment, has been brought to such maturity and perfection.\* The great penalties then imposed for undue returns—100*l.* to the king, and another 100*l.* to the defrauded candidate†—equal together to 3,000*l.* in modern times—prove how highly a seat for even one short session was then esteemed. Even the very wages of the members, 2*s.* a day for citizens and burgesses, and 4*s.* for knights—equal to 30*s.* and 3*l.* respectively at the present time‡—afford another proof that the Commons were not then so very, very desppicable. We question much whether more would be now given, were the nation to relapse into that worst of the political abominations of Popery. In early times we find men of the highest rank, under the peerage, members of the Commons; that very speaker, De la Mere, whom Wycklyffe's friends selected as their victim, stood next in lineal succession to the throne after Richard.§ Who ever heard of any of our Protestant sovereigns inviting Lords and Commons *en masse* to dinner? It would be profane to suppose that the regal divinity of Protestantism should sit at the same table with the representatives of “the disordered multitude.” Yet Edward III—who, of course, however, when compared with any of those “gospel light” constellations, “twinkles but as a glow-worm,”—did not see any such immeasurable distance between himself and his people as to prevent him from treating their representatives with that courtesy.|| But not to waste time on trifles, which we should never notice, did we not feel desirous to meet those objections which have most influence on modern “enlightened” minds, let us direct attention to as regular a parliamentary invitation to dinner as the history of “Reformed” England can furnish. At the close of the session in 1402, and just before the chancellor was about to announce the dissolution of parliament, “the Earl of Northumberland, in the absence of the seneschal of the king's household, prayed all the Lords, spiritual and temporal, and all the Commons aforesaid to come to dinner the following Sunday with our lord the king.”¶

\* See Lingard, Hallam and Brodie, and the Paston Correspondence, as to the fact of intimidation and corruption about that time.

† 23 Hen. 7, c. 15.

‡ Such being the difference, according to Mr. Hallam, in the value of money, between the reign of Henry VI and the present time, the difference must be as great again between the present time and the reign of Edward II, when the members' fees were first reduced to the above fixed sum.

§ Hallam, *Mid. Ages*, vol. ii. 262.

|| “Et demorerent et mangerent ove le roi mesme tous les grants et plusours des communes.”—Rot. P. 42 Edw. 3, 297.

¶ “Et toutes cestes matires ensi finiz et terminez a cel jour le cont de Northumbri en absence du seneschall de l'ostiel du roi pria as tous les seigneurs espi-

Thus, it is not merely in the free and fearless discharge of the highest parliamentary functions, but in all the minutest nicknac-eries and courtesies of life, we trace the superiority of the ancient Commons to their enlightened successors. Where, then, are the evidences of their weakness and insignificance? Merely in the ingenious fictions of the agents of Protestantism and arbitrary power; which have been repeated so often, with so much cleverness, plausibility, and dogmatic confidence of assertion, that many worthy and learned persons, have, without examination, mistaken them for truths, and assisted in their propagation. But we can assure Englishmen, that when they begin to examine and think for themselves, they will find the calumnies against the politics as unfounded as those against the faith of their fathers.

The first blow at the popular and independent character of the House of Commons seems to have been inflicted by the statute which limited the franchise to forty-shilling freeholders in counties.\* There is not a single ancient authority hinting even that, prior to that act, every man of full age, free and resident, had not a right to vote. Mr. Hallam says that 40s. in the reign of Henry VI was equal to 30l. at present.† See how this qualification alone, even if all the kingdom were held in freehold, must have limited the suffrage; but if we consider further, that at that time one-third of the kingdom was copyhold,‡ and that probably one-third of the entire kingdom was not in the possession of freehold tenants, we must see that that statute at once vested the choice of the representatives of shires in the hands of a few proprietors. We find, accordingly, that in some counties there were no more than a few electors, and that in most the aristocracy solely settled the representation. The people soon felt the loss of their privileges, and in Cade's rebellion one of the grievances complained of was, that "the people of the said shire of Kent may not have their election in the choosing of knights of the shire, but letters have been sent from divers estates to the great rulers of all the countrie, the which embraceth their tenants and other people by force to choose other persons than the Commons will is."§ This infusion of persons independent of the will and indifferent to the sufferings of the people must have tended to lower the general tone and character of

rituelx et temporelx et as tous les communes suis ditz d'estre le dymentge ensuant a mangier ovesque le roi nostre seigneur." Id. 4 Hen. 4, 493. The Commons are mentioned as the first at his coronation banquet. Id. 1 Hen. 4, 423.

\* 8 Hen. 6, c. 7.

† Mid. Ages, vol. ii. 319.

‡ Coke is stated to have said so. Scriven on Copyholds, vol. i. 46.

§ Hollingshed, vol. ii. 633.

the house. Edward IV found them the comparatively pliant tools of his will, and his reign has been noticed as the first since the origin of the Commons, in which no statute was passed for the redress of grievances, or maintenance of the subject's liberty.\*

We now approach that period which some writers have been ingenious enough to regard as the birth-time of the constitution. But it would be a waste of time to reason at any length with men who settle constitutions by what they are pleased to call philosophy. Hear, then, the Tory committee who prepared the report on the dignity of a peer. They observe that Henry VII, by his accession to the vast landed properties of the houses of York and Lancaster united, increased as they had been by the confiscations consequent on the commotions which had occurred since the deposition of Richard II, and by his economical management of the ordinary permanent revenue, and the other profits of the crown, "rendered himself in a great degree independent of that parliament which had created his title to the throne, and *particularly of the House of Commons, whose great influence had before been principally derived from the necessity for extraordinary aids to support the expenses of the king.*"† From the temporal peers he had nothing to fear, so reduced were they by the civil wars, that he could find no more than twenty-nine to be summoned to his first parliament, and during his reign their numbers did not amount generally to more than forty. Being thus, by fortuitous circumstances, made independent of his people, and relieved from the trammels which had so fettered his predecessors, he soon dispensed with annual sessions of parliament, procured an act transferring some of its powers to himself,‡ and for the last thirteen years of his reign assembled it only once. Such is the first indication of its rising importance.

Let us come next to the great and undisputed epoch of the "disenthralment" and "impulse"—begging *en passant* of the calumniators of our ancient parliaments to find in their records any precedent for Wolsey's conduct to the Commons in 1523. When the supremacy had been vested in the crown, and the monasteries confiscated, there was no longer any power in the state but the Commons to control the sovereign. The temporal peers were few, and could, by the new doctrines, be at any time swamped. As for the bishops, poor things, they lost even the semblance of independence and self-respect, and so late as the reign of Elizabeth were considered liable to be discharged

\* Hallam, *Mid. Ages*, vol. ii. 409. † Report on Dignity of a Peer, vol. i. 372.

‡ An act to authorize him to reverse all attainders, "whether by act of parliament or the common law," since the reign of Ric. 3. Rolls P. 19 Hen. 7, 526.

and unfrocked whenever they did not behave themselves agreeably to the wishes of their royal maker.\* The means by which the Commons were “disenthralled” into a similar state of abject dependence on the head of the Church, form a curious episode in our constitutional history.

Up to the reign of Henry VIII, the Commons never sat, except in two or three instances, beyond a twelvemonth from the time of their election. He introduced long parliaments and corruption—for having once, by means, which all “true Protestant” constitutional statesmen still admire and practise, got a pack to his taste, he retained them in his employment as long as he wanted them. His Protestant successors, of course, imitated his example;† thenceforth annual elections became an antiquated absurdity, and the duration of parliament was in exact proportion to its subserviency to the will of the monarch—Charles II retaining the *Pensioned Parliament* seventeen years in his service. But these means not being sufficient to secure that complete subjection to the pleasure of “God’s vicegerent,” which was so essential under the new dispensation, the sovereign assumed the right of swamping the Commons as well as the Lords. For the exercise of this right, peculiar facilities were now offered. Prior to the Reformation, as the representatives always exacted their wages, boroughs, which were unable to bear this expense, obtained exemption from the service by interest with the sheriff or license from the crown;‡ yet so highly was the privilege esteemed, that boroughs, which were rich enough to pay the wages, always maintained the right of sending representatives; and those which through poverty had discontinued it, reclaimed it, as a matter of right, when they became again able to defray the necessary expenses.§ By this practice the

\* “Proud prelate. You know what you were before I made you what you are. If you do not comply with my request, by G—I will unsrock you. ELIZABETH.”—Letter from the head of the Church to the Bishop of Ely. Cited in Hallam’s *Const. Hist.* vol. i. 241.

† Henry’s first long parliament was from 1530 to 1536; the others varied from one to two or three years. Edward VI’s first parliament continued four years and five months; his second was dissolved by his premature death. “The bloody Mary” reverted, of course, to the ancient abominable system of annual and sessional elections; her longest parliament having continued nine months and twenty-eight days, the others varying from one month and three days to three months and four days. See Willis. *Not. Parl.* and Oldfield’s *Rep. Hist. Lists of Duration of Parliaments.*

‡ Willis, *Notitia Parl.* vol. ii. p. 243, and Preface.

§ Prynne’s *Brief Register*, &c. p. 612. According to Prynne, “it is as clear as the sun at noon-day” that the inability to pay the wages was a just and legal ground of exemption. *Brev. Parl. Red.* p. 166-237.

wealth of the population of all parts of the country were equally and fairly represented. But when the Commons began to prefer the royal bounty to the wages of their constituents, and to offer their services gratuitously to the electors, or rather received out of the national funds what they had before got out of the county or borough-rates—and something more—the necessity of an election by the people, to constitute a member of that House, became a legal fiction respectable from its antiquity; and the crown accordingly, when it wanted a majority, instead of shocking the national prejudices, by sending its nominees directly into that House, as it did into the Lords, by its “mere motion,” caused writs, precepts, or patents, to be issued for reviving old boroughs, or creating new ones, and of course returning “independent members.” The effect of this royal manufacture of “representatives of the people” on the independence of the House of Commons, which, we may observe, consisted of about 300 members up to the reign of Henry VIII, who added two from a place revived by his sole authority, four from the towns of Bucks and Berwick-upon-Tweed,\* which had never sent any members before, and more than thirty from Wales, Chester, Calais, &c. by act of parliament, can be appreciated only by a glimpse at the actual numbers manufactured, as exhibited in the following list:†—

Time of	RESTORATIONS.			CREATIONS.				Total No. of Members.
		Places.	Members.	Places.	Members.	.....	.....	
Edward VI.	10	20	.....	14	28	.....	48	
“ Mary . . .	2	4	.....	10	17	.....	21	
“ Elizabeth . .	6	12	.....	24	48	.....	60	
“ James . . .	8	16	.....	6	11	.....	27	
“ Charles I. .	9	18	.....	0	0	.....	18	
“ Charles II .	0	0	.....	3	6	.....	6	
			—			—		
			70			110		180

How satisfactorily do these simple figures account for all the absurdities of the Reformation epoch !!

As it would be an offence of the deepest dye to doubt the

\* Willis does not say by what means these were authorised to send members, but merely that they sent them then for the first time. Oldfield intimates that Bucks was authorised by royal charter, in the last year of Henry's reign.

† See Glanville's Rep. Introd. Twelve of these boroughs were revived by the Commons in the reigns of James and Charles. Lord John Russell on the English Gov. 237.

legal and constitutional right of our Protestant sovereigns thus to erect a legislative star-chamber, and call it a House of Commons, especially when it is to houses thus constituted both nations are indebted for the establishment of “the true Protestant Church,”\* we shall content ourselves with showing that the practice was one of the improvements of the “disenthraling” epoch.

With the questions how or when the House of Commons was originally formed, or what it was that at first constituted the right of the different cities and boroughs of England to send members to it, we have now no concern. In consequence of the loss of the early writs and other records, it is difficult to speak with any certainty as to what places did or did not send representatives to parliament in the reign of Henry III and Edward I, and therefore difficult to say whether those places, for which we find returns in the reigns of Edward II and Edward III for the first time, had made any returns before. There is, however, no pretence for saying that the returns from these places were made with any view to swamping the Commons. According to the latest authority, only eight such places made returns in the reign of Edward II, and three in the reign of Edward III.† Edward II, after the victory of Burton-upon-Trent, issued writs for forty-eight representatives from Wales; but it does not appear that any attended.‡ In the reigns of Richard II, Henry IV, and Henry V, not a single borough was revived or created. In those reigns, and that of Henry VI, almost all the statutes were passed which regulated the kingdom generally to the time of the Reform Bill.§ It is one of the charges against Richard II that he practised illegally with the sheriffs to make them return knights not chosen by the people;|| but neither he nor his legal advisers dreamed of issuing warrants to swamp the representatives of the nation with his dependents. In the reign of Henry VI five boroughs, by some manage-

\* See, as to the like manufacture in this country, Carey's *Vindiciae Hibernicæ*—a work which should be in the hands of every Irishman. “What is it to you,” said James I to the Irish deputies who went to remonstrate against a swamping of seventy-six new boroughs and a due number of peers, “whether I make many or few boroughs? What if I had made forty noblemen and 400 boroughs? The more the merrier; the fewer the better cheer.” Carey, 231.

† See Rep. on Dignity of a Peer, vol. i. 374, 376, 460.

‡ Id. 282.

§ 5 Ric. 2, stat. 2, c. 4; 7 Hen. 4, c. 15; 2 Hen. 4, c. 1; 1 Hen. 5, c. 1; 6 Hen. 6, c. 4; 8 Hen. 6, c. 2; 23 Hen. 6, c. 15, &c. &c.

|| R. P. 1 Hen. 4, 420.

ment, received precepts from the sheriffs, for the first time, to send representatives, but without any charter, patent, or authority from the crown.\* So ignorant were lawyers then of the right of the crown to manufacture a House of Commons of its own creatures by its royal warrants, that they thought it could not make even the slightest change in the form of summoning them from that established by law and custom.† Edward IV was the first of our sovereigns who granted a royal charter authorizing a town to send members to parliament.‡ He made Grantham a free borough, after which it began to send members. Ludlow also first made returns in his reign.§ Not a single borough was revived or created by Richard III or Henry VII. Thus, from the time of Edward I to that of Henry VIII, only nineteen boroughs altogether made returns for the first time, and of these one only was authorized by royal charter. Great as were the powers assumed by Henry VIII, he did not imitate the precedent of Edward II as to Wales, but proceeded, by the assistance of parliament, to summon members from it, Chester, Calais, Monmouth, &c. &c., and confined the exercise of this “undoubted prerogative” to the three places we have already noticed. Such having been the practice, we may add, that one of the ablest and most learned writers on parliamentary questions declares himself clearly of opinion “that since the statutes of 5 Richard II, c. 4, 1 Henry V, c. 21, 23 Henry VI, c. 14, no sheriffs, by virtue of the king’s writ of summons and forecited clauses in them, can erect or enable any new-created or old long-discontinued boroughs to chuse and return burgesses to our English parliaments, whatever they anciently did or might do before these acts; and that no boroughs can, since these acts, be created or revived but by special act of parliament, as the statutes of 27 Henry VIII, c. 26, 34 Henry VIII, c. 13, 35 Henry VIII, c. 11,” “do more than intimate;” and, in reference particularly to the 5 Richard II, st. 2, c. 4, adds, that “it is as clear as the sun at noon-day” that “no sheriffs are bound by law to issue precepts to or cause any cities or boroughs to send citizens or burgesses to parliament

\* Prynne’s Brev. Parl. Red. 236.

† See, in R. P. 38 Hen. 6, 367, a petition from the sheriffs of the kingdom that as they had proceeded to the elections by the authority of the king’s letters of privy seal, and not by writ, the returns should be confirmed, and they themselves indemnified, by statute.

‡ To Wenlock, in 1478. This is the first and only charter of the kind on record prior to the reign of Henry VIII. Willis, Not. Parl. 42-3.

§ It was not by royal charter these made the returns.

but such which of ancient times were accustomed to send them."\* Thus, swamping the Commons with the creatures of the crown was another of the "ingenious devices" of the "disenthralling" Reformers.

But we shall be told, that though by "the Protestant constitution" the head of the Church could thus create majorities at its pleasure, so as to prevent the ungodly and "disordered multitude" from questioning the extent of "the Divine omnipotence," which Gospel light had assigned him, yet with the advance of Protestantism and civil liberty, the Commons asserted many glorious privileges which they had not dared to think of in the days of Popery and their infantile weakness. We beg of our readers to consider that all those privileges have been gradually passing away since the return of common-sense and rational liberty, just like the extravagant vagaries of Protestantism itself; that they have been all strenuously supported by the ministers of the crown; and that by no accident has it happened that any one of them has been ever exercised against the crown in defence of the rights of an injured subject. When the crown obtained the means of commanding majorities in parliament, it naturally looked on any extension of the powers or privileges of its creatures as an increase of its own powers; and hence, from Henry VIII to George IV, we find the servants of the crown invariably the most vehement advocates of the pretensions of the Commons. Of all those novel privileges, not one has been so eulogised as that by which the Commons claim to themselves the right of determining their own elections. This has been continually lauded as the best and almost only safeguard of that house; as of the very essence of its constitution, and associated with its integrity and independence just as Protestantism itself has been with civil liberty. Were we to be writing its praises for a year and a day, we could scarcely give more than a faint idea of the excellencies it possesses in the opinions of its admirers. Let us therefore examine it in operation and details, and see whether it is not exactly like Church-of-Englandism itself—a sort of superficially delusive system, which charms and captivates at first sight and on a slight inquiry, but which, on closer inspection, is found to have been designed for purposes the very reverse of its professed objects; and whether, as Church-of-Englandism was the prime actor in overthrowing the ancient liberties of England, this privilege was not

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\* Brev. Parl. Red. 286-238.

required to act a minor part in the drama, by completing the ruin of the independence of the Commons and the electoral rights of the people.

Suppose at a general election two opposing sets of candidates—whigs and tories for instance—start for the several constituencies of the kingdom. Suppose also the tories in office—the sheriffs consequently their friends, or at least nominees, and returning them contrary to the votes of the electors; this privilege then steps in, and instantly constitutes them, for no other reason but that they have been returned by the sheriffs, though thus, according to vulgar apprehensions, unduly returned, the sole judges of the entire transaction; of the return itself; the conduct of the sheriffs; their own rights; the rights of their friends, and the rights of their rivals. Such they literally were prior to the passing of the Grenville Act. We need not stop now to shew how utterly inconsistent with every principle of common-sense and common law such a privilege must be; but see how perfectly consistent it was with the whole spirit and operation of “the Protestant constitution;” which made the life, the liberty, the property, and every right of the subject depend solely on the nod of the—British sultan.

As, under this privilege, the election of a member, or, as it was called, the trial of an election petition, was considered as legitimate an object of contention in the house as at the hustings, or as the election of a speaker, or the voting of the supplies, and was decided in the same manner; and as the crown could in all ordinary times command a majority, by bribery, creation, or other “constitutional” means; each individual member held his seat, and his constituents—especially if they were citizens or burgesses—held their rights of election, at the will and pleasure of the royal majority.\* The influence of such a state of things, both on the several members and the electors, need not be dwelt on. Yet we are gravely assured, that it was in self-defence against the encroachments of the crown the privilege was assumed. What are the facts? It is commonly said to have been first exercised in the reign of Elizabeth; her officers supported the exercise of it as then claimed.† Of the first celebrated committee of twelve, appointed on the 24th of February, 1580, four were members of her government.‡ She is stated, on

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\* See a paper on the subject of Controverted Elections, in the thirteenth number of this Review.

† See Com. Journ. for 11th Nov. 1558; 9th Feb. 1575.

‡ Id. 15th Jan. 1580.

very equivocal authority, to have reproved the Commons in one case for interfering,\* but in no other did she attempt to check them. James, "as an absolute king," had by proclamation forbidden the election of outlaws and other bad characters, and was, it is said, anxious for the return of Fortescue; but after that case he never interfered,† and some of the officers of his government formed part of every committee which sat during the remainder of his reign.‡ After the Restoration, so anxious were the court party to uphold this "constitutional privilege," that when Hale and his colleagues, in the King's Bench,§ gave judgment for Barnardiston against Soame, and thus maintained the accountability of a sheriff in a court of law for an improper return, they raised to the bench the counsel who had been employed for the defendant; by them reversed, in the Exchequer Chamber, the judgment of the King's Bench, and confirmed the exclusive right of the members of the PENSIONED PARLIAMENT to—elect each other.|| The motive attributed to them at the time for this conduct was, that they thus expected to have the formation of the House of Commons absolutely, totally, and without any qualification or exception, at their own command; for having established the doctrine that the sheriffs could be punished for improper returns in that house only, and that the truth of the return was there only determinable, if they could prevail on the sheriffs—who were entirely at their service—to return "the friends of the monarchy and the constitution," these could decide their own elections, indemnify the sheriffs, and if any dangerous animal happened to get in along with them, could at once kick him out. Such alarm did the confirmation of this judgment by the House of Lords, after the Revolution, create, that the statute 7 and 8 William III, c. 7, was immediately passed to give an action against a sheriff for an improper return. When the Aylesbury case occurred, we find the members of the government supporting this "constitu-

\* Norfolk case. Dewes' Journal, p. 394-5. There are many reasons for questioning the authenticity and correctness of Dewes' report of this case.

† When the committee of 1623-4 was about to restore some ancient boroughs, he thought to prevent them, but on consulting the judges, and finding them in favour of the ancient rights of election, he proceeded no further.

‡ See Journals, *passim*.

§ Twisden & Wylde; Rainsford doubting.

|| There were three judges then made in the Exchequer, and two in the Common Pleas; eight being the total of both courts. We find North, C. J., who had been leading counsel for the defendant, and who was afterwards selected to try the *Quo Warranto* against the city of London, and five others, reversing the judgment of the King's Bench. See State Trials, vol. vi. 1063; vol. xiv. 457-721.

tional privilege," and the solicitor-general adding the weight of his official character to the extravagant claims of the Commons.\* Is the case of Wilkes and Luttrell already forgotten? When the Grenville Act was proposed, we find Lord North, his attorney-general, and other official friends, straining every nerve to preserve this "ancient and undoubted privilege of the Commons;" this "very essence of its constitution."† Need we extend our illustrations to modern times? When we thus find the court party advocating this privilege on all occasions, must we not be as doubtful of its tendency to secure the purity and independence of the Commons, as we must be of the tendency of Protestantism to secure civil liberty, when we find it the fosterling of every enemy of popular rights, whether on the banks of the Thames, the Rhine, the Speer, or the Neva?

But there is no room for doubt. Look to the result of its operation on the ancient popular rights of election. At the accession of Henry VIII there were 111 towns sending 224 representatives, and by him and his successors 36 were restored.‡ Of all these only two, or three at the utmost, were empowered by charter to send representatives; the rest had their rights of election dependent on immemorial usage or the common law.§ By the latter, popular rights were greatly favoured. There is not the slightest authority for saying that a property qualification was required for any electors before the passing of the 8 Henry VI, c. 7.|| The authorities, on the other hand, are abundant against such an hypothesis. In the second last year of Edward III, the Commons pray that the knights of the shires might be elected "by the common election of the better people of the said counties:" but Edward answers, like a chartist, that he wishes they should be "elected by the common assent of the entire county."¶ All the statutes preceding the act of Henry VI merely direct the sheriffs to make the

\* See State Trials, vol. xiv. case of *Ashby v. White*.

† Par. Hist. vol. xvi. 907, 10, 11, 13, 15.

‡ Willis, Not. Parl. vol. i. pref. viii.-xi.

§ As burgage-tenure has been considered by many the qualification in most ancient boroughs, we may observe that there were only twenty-nine burgage-tenure boroughs in 1774 1 Doug. 224. In all the newly created boroughs, the common-law qualification should have been allowed, when the charters specified no other.

|| Coke is perpetually electing sheriffs, coroners, knights of shires, &c. &c. by freeholders, directly against the language of the records, which he cites, and without any authority but his own mere dictum. His statements are, of course, adopted without examination by subsequent writers.

¶ "Par commune election des meilleurs gentz des ditz countees." "Le roi voet q'ils soient esluz par commune assent de tout le countee." R. P. 50 Edw. 3. 355.

elections by the suitors in their county courts, “and all others of their counties.” The preamble to that very act ought to be conclusive on the question. It sets forth that elections “had now of late been made by very great, outrageous, and excessive numbers of people dwelling within the same counties, and the most part was of people of *small substance and of no value*; whereof every of them pretended a voice equivalent as to such elections to be made with the most worthy knights and esquires dwelling within the same counties, whereby man-slaughters, riots, batteries, and divisions among the gentlemen and other people of the same counties, shall very likely rise and be, unless convenient and due remedy be provided.” By common right, Prynne says, “every inhabitant and commoner in each county had a voice in the election of knights, whether he were a freeholder or not.”\* The statute of Henry VI not having extended to cities and boroughs, the qualifications of electors there remained the same as it had been before in cities, boroughs, and counties; and we find accordingly, when the Protestant House of Commons first began to determine the rights of its own electors, one of its ablest committees deciding “that the election of burgesses in all boroughs did of common right belong to the commoners, and that nothing could take it from them but prescription and constant usage beyond all memory.”† In 1623-4 the most eminent committee of that house, which has ever yet sat, consisting of all the greatest lawyers of that day, was appointed specially to lay down the outlines of the legal rights of voting, as guides to the electors, the candidates, and the house; and they also decided that where there was no certain custom, prescription or constant usage beyond all memory, recourse should be had to “common right, which for this purpose was held that more than the freeholders only ought to have voices in the election, namely, all men, inhabitants, householders, resiants, within the borough.”‡ Such was the right of election by common law up to the Reformation—up to the time, when Protestant Houses of Commons began to determine the rights of their own constituents;—and how many places does the reader suppose retained it to the passing of the reform bill? One only.§

\* Brev. Parl. Red. 186.

† Case of Boston. 2 Douglas, Hist. of Controvert. Elec. 220. See also 232, 291.

‡ Glanvil. Rep. Case of Pontefract, 107; Cirencester, 142. Residence was required by statute.

§ Pontefract. Even this was deprived of it for above 100 years, from towards the close of the seventeenth century to nearly the close of the eighteenth, when it was restored by a select committee under the Grenville Act. Oldfield’s Rep. Hist. vol. v. 319.

In all the other ancient boroughs the rights of election were limited, by the votes of Protestant Houses of Commons, to freeholders, to persons contributing to church\* or poor\* rates, to freemen by apprenticeship,\* to—But need we go through the list? Can the rotten-borough system, that perfection of reason, and glory of the Protestant constitution, be already effaced from the recollection of our readers?

The Reform Bill, which restored the representation of the people to something like what it had been prior to the Reformation, is regarded by most “pious Protestant” statesmen as an abomination which must be abated as speedily as possible. Of the folly of attempting this object openly and avowedly these gentlemen are fully aware. Let them, however, only repeal the Grenville Act, and all amendments of that act, bring this ancient, essential, and undoubted privilege into full operation, in all its former integrity, thereby give the constitutional conservative majority of England a right of electing representatives for the Papists of Ireland, and the radicals, infidels, and so forth, of the other portions of the empire, and soon shall we have the Protestant constitution restored to that perfection in which it had so auspiciously flourished for so many ages prior to “that cursed settlement.” But, seriously, such is the real character of this never-to-be-sufficiently-lauded privilege, which if we had not thus analysed, we should be perpetually taunted with the mighty and multitudinous advantages it conferred on the House of Commons and the people, and told how helpless that house must have been in earlier times, when without such a privilege it could not protect its own constitution from the violence and inroads of royalty. Were we to compare the practice in both periods as to other privileges, we suspect that the moderns would not appear the transcendental creatures for which they are commonly mistaken. Let us, however, turn to matters about which there can be no disputation.

It will be said, whatever might have been the alterations in the mere material composition of the parliament, such was the mighty influence of Protestantism, that it imparted a tone, a dignity, &c. &c. to their proceedings, which made them pre-eminently superior to their Popish predecessors. Let us see.

In 1534 the supremacy was vested in Henry. At the opening of parliament in 1536, the speaker of the Commons,

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\* Though not known prior to the age of Elizabeth.

instead of contenting himself with the ancient protestation, delivers a long disgusting eulogy of Henry: compares him to Solomon, Sampson, and Absalom; and most humbly supplicates access for himself and his companions to his “sublimity” during the present parliament.\* The Reformation is commonly dated from 1541. In that year the ancient protestation is entirely abandoned: the speaker’s speech consists of three paragraphs; in the two first of which he extols Henry’s corporal and intellectual excellencies, and in the last begs for freedom of discussion for himself and his companions, and liberty of access in matters *too perplexed and important for them to determine among themselves*. The royal majesty does not refuse a *decent* liberty of speech.† All that we are told in the journals, of the speakers in the reign of Edward VI and Mary, is, that they made ornate and excellent orations, except the third in the latter reign, who asked for freedom of speech, privilege from arrest, and access to the king and queen, for himself and companions.‡ In the first session of Elizabeth’s reign the four requests, which are now repeated at the commencement of each parliament, were made for the first time.§ In the journals we are merely told that the speaker “made certain petitions for the ancient liberties,” and that they were “granted by the queen, to be used *reverently and decently*.||

Just compare the ancient notions and usages on this point. In the days of Popish thralldom and darkness, the Commons considered themselves as much entitled to freedom of discussion in their councils, as the king was in his. To suppose that they could not discuss the interests of their constituents till they had got leave and licence from him, or that they were to be like a parcel of schoolboys, to study only the theses set them by the royal pedagogue, and in their tractation of them to be continually kept within the bounds of “reverence and decency” by the flourish or application of the royal birch, is an absurdity worthy only of Protestantism and enlightenment. Only imagine the men who graciously condescended to allow a Richard and a Henry as much freedom and liberty as any of their predecessors, begging for themselves the liberty of talking over the business for the consideration of which they

\* Journals of the Lords, p. 86. See also Lingard, vol. vi. p. 366, &c.

† “In causis magis perplexis et gravioribus quam ut ipsi inter se definire sufficient.... Honestam dicendi libertatem non negare regiam majestatem.” Id. 1, 167.

‡ Com. Journ. p. 37.

§ Oldfield’s Repres. Hist. vol. vi. 344. || Com. Journ. 53.

had assembled. They might as well have asked for liberty of sitting, or standing, or meeting, as for liberty of talking. Of such an absurdity those slaves and fools were never guilty. From time immemorial, they had an undoubted right to the utmost possible liberty of speech within their own walls, without challenge or question from any man; and no stranger—not even the king himself—knew anything of what passed within them, till he was informed of the result by the mouth of the speaker, who, lest in reporting the substance of their wishes, he should commit any mistake, assumed his office with a protestation, that he should be at liberty to correct, by their advice, any mistakes which he might happen to commit. The first protestation on record, is that of De la Mere, in the first year of Richard II; and we owe it probably to the treatment he had received from Wycklyffe's patrons for his former discharge of his duty. It is simply, that as what he had to say was not of his own will and motion, but from the whole house, he requires that if he should haply speak anything without their consents, the same ought to be amended before his departure from the said place.\* At the second next session, this latter part is amended to allowing them to correct such mistakes when they pleased.† This remained the substance of the protestation down to 1429, though a speaker occasionally threw in an additional request, that if he should say anything displeasing to the king or lords, it might be attributed to his ignorance or negligence, and not to the evil intentions of his companions, and that he might be corrected by them; or that they might enjoy all their ancient privileges,‡ &c. At length, in that year the whole protestation was thrown into the following form; and though in some subsequent sessions, also, we find occasional—perhaps in all about twenty—departures from it in verbal construction, and the speakers asking for themselves and the Commons such other liberties and privi-

\* Cotton's Ex. Abridg. 155; Rot. P. 1 Ric. 2, 5.

† Id. 3 Ric. 2, 73.

‡ In the fifth year of Richard II the speaker would appear to have committed the mistake against which the protestation was intended to guard, for the Commons pray, in the following session, that the first and celebrated statute against heretical preachers, passed at the last parliament, should be abolished, as it had never been assented to nor granted by them; “*mes ce qe fuist parle de ce fuist souz assent de lour;*” for it was never their intention to bind themselves and their successors to the prelates more than their ancestors had been in past times:—Id. 6 Ric. 2, 141. In 1413 the speaker committed such a mistake; and it is so expressly stated in the Rolls, and remedy is granted. Id. 1 Hen. 5, 4. We may observe here, that the notion that the writ *de heretico comburendo* lay at the common law, seems to be a mistake. See Einly's note to 1 Hale, P. C. 709.

leges as their predecessors had enjoyed, without specifying them, it may be considered thenceforth to have been, up to 1536, what in modern parlance would be called the constitutional and established form of protestation. It was,—“He most humbly prayed the lord the king, that all and singular the matters to be brought forward and declared by him in the name of the said Commons, he might be able to bring forward and declare under such a protestation, that if he should, by either additions or omissions, declare anything enjoined on him by his companions otherwise than they should have agreed to, he might be able to correct and amend the matters so declared by the advice of his said companions, and that this his protestation should be enacted in the roll of the said parliament; to whom it was answered by the chancellor, by the command of the king, and the advice of the council, that he might have and enjoy such protestation as other speakers in the time of the king’s noble progenitors used to have and enjoy.”\* Such had been the long established form of protestation, which was now perverted to begging of the king the fundamental rights of the Commons.

In short, from the establishment of the Reformation, the ancient liberties of parliament and the people seem to have been entirely unknown, despised, or forgotten. “Freedom of speech” in the house of Commons became only a mockery. If a man said anything displeasing to the crown, or the majority of the house, he was at once taken into custody, and fined, expelled, and imprisoned, according to the humour of the privy-council or the house. No sovereign or minister would have dared at once to trample on the long-established rights of the representatives of the people, if those representatives had not

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\* “Eidem domino regi humillimè supplicavit quatenus omnia et singula per ipsum in parlimendo predicto nomine dicte communitatis proferend’ et declarand’ sub tali posset protestatione proferre et declarare quod si ipse aliqua sibi per prefatos socios suos injuncta aliter quam ipsi concordati fuerint aut in addendo vel omittendo declaraverit ea sic declarata per predictos socios suos corrigere posset et emendare, et quod protestatio sua hujusmodi in Rotulo parliamenti predicti posset inactitari. Cui per prefatum dominum cancellarium de mandato domini regis et avisamento consilii sui extitit responsum quod idem Willielmus tali protestatione frueretur et gauderet quali alii prolocutores tempore nobilium progenitorum suorum in hujusmodi parliamentis uti et gaudere solebant. Id. 8 Hen. 6, p. 336. See Rolls, also, for the commencement of every parliament to the close of the reign of Henry VII; and Lord’s Journals, pp. 4, 11, 19, 86, for reign of Henry VIII. Surely Mr. Hallam could not have examined this ancient protestation when he says, “liberty of speech and free access to the royal person were claimed (though not quite, in his modern language, as undoubted rights) at the commencement of every parliament.” Const. Hist. vol. i. 266. He, of course, cites no authority.

shown their utter disregard for those rights, and proved themselves willing slaves. These creatures first begged for freedom of speech from the crown, next refused it to one another, and then were deprived of it altogether by the power that gave it. If the majority had a right to prevent the minority from expressing the wishes of their constituents, surely the crown could not be blamed for imitating so "constitutional" an example, and silencing the whole gang. It is only by degrees that even Protestantism could erase from the minds of Englishmen the vestiges of their former freedom. Up to 1548, no member had ever been punished by the house of Commons for anything said there; as the delegate of his constituents, he had a right to say whatever they instructed him to say, and was accountable to no one but them. In that year, however, we find one Story committed by the house to the custody of the sergeant on the 21st of January, and to the Tower on the 24th, for having said or done something that was deemed an "offence" against "his majesty and his council," and on the 2nd of March, an order made, "that the king's privy-council in the nether house shall humbly beg of the protector to procure his forgiveness, and that he should be enlarged."\* In 1557, one Copley having "spoken unreverent words of the queen's majesty," the house votes it "to be a grievous fault," commits him to the serjeant, and orders the speaker to inform her majesty of it, and "to require her majesty to extend her highness's mercy upon him." "Her pleasure was, that he should be examined whereof such matter did spring, and, nevertheless, her majesty would well consider the request of this house to her majesty for him."† The house being dissolved the following day, nothing more seems to have been done. Peter Wentworth's treatment is notorious. In 1575 he "was, for unreverend and undutiful words uttered by him in this house of our sovereign lady the queen's majesty, sequestered," committed prisoner to the serjeant's ward, examined by "all the privy council being of this house," committed close prisoner to the Tower,‡ and after a month's confinement, released on the queen's sending word of her forgiveness, and his acknowledging his "offence" on his knees.§ Six years afterwards, a Mr. Hall is, "for sundry lewd speeches against the general authority, power, and estate of this house," committed, expelled, fined 500 marks, and

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\* See Com. Journ. for those days.

† Com. Journ. pp. 50-1.

‡ Id. p. 104.

§ D'Ewes, 260.

sent to the Tower till he should make a satisfactory retraction.\* The gist of his offence seems to have been writing a book, in which he declared that the house was, to his own knowledge, guilty of gross injustice. In 1585 they expel the famous Dr. Parry for speaking spiritedly against the bill inflicting the punishment of death on Jesuits and seminary priests.† But need we enumerate more instances? When these creatures thus set the example of violating the fundamental principles of a deliberative assembly, can we wonder at or regret the contumelies subsequently heaped upon them? Better treatment would have been unfit for them.

As nothing can illustrate so fully the influence of the new principles of religion and government which were now spread abroad to “redeem, regenerate, and disenthral” mankind, as the contrast between the ancient and the reformed parliaments on questions affecting the very utility of their existence, let us direct attention to the conduct of James and Elizabeth to their “pious Protestant” Houses of Commons. When Elizabeth committed Strickland for exhibiting a bill for the reformation of ceremonies, his case is discussed by the house, and her right to punish for anything done against her prerogative is asserted and not contradicted.† She reproves them for agreeing to a motion for a public fast and daily preaching among themselves; and they, with one consent, make an “humble submission for the said offence and contempt.”§ She commits several for proposing a bill to entail the succession of the crown; and even the notice of a motion respecting them is crossed out from the Journals.|| The council having reproved one Bell for having “spoken somewhat concerning licenses granted by her majesty to do certain matters contrary to the statute:” so far was the house from remonstrating, that they were so alarmed that for many days “they durst not enter on any matter of importance.”¶ At one time they are ordered, when they ask for liberty of speech, “to meddle with no matters of state but such as should be propounded to them;”\*\* at another, to spend little time in motions and to avoid long speeches;†† at another, are forbidden “to meddle with matters of state or ecclesiastical causes;”††† and at another, are dismissed with a reproof “for their audacious, arrogant, and presumptuous folly, in calling

\* D'Ewes, 291.

† Id. 341.

‡ Id. 168, 176.

§ Id. 282, 3, 4.

|| Id. 470, 597.

¶ Id. 159, &c.

\*\* Id. 141-2.

†† Id. 159.

††† Id. 474, 6, 8.

in question her majesty's grants and prerogatives, contrary to their duty and place, and the admonition given at the beginning of the parliament, meddling with matters neither pertaining to them nor within the capacity of their understanding."\* In the year of light and liberty 1621, James reminds them of the ancient proverb about the cobbler and his last—asserts his right to punish as well during their sitting as afterwards—complains that some of them had been emboldened to debate "about matters far above their reach and capacity," and forbids them "to meddle with anything concerning our government or deep matters of state." Those wretched "coblers," so far from wincing under these indignities, declared that it was not their intention to encroach on "the sacred bounds" of the royal prerogative, and "acknowledge that to the king alone does it belong to resolve of peace or war."†

How superior "the light of the gospel" must have made these men to those who forbid Henry IV to listen to any tell-tales about their proceedings till he should be informed of them through the mouth of the speaker, and without whose advice and consent no question of peace or war was decided !! "The light of the gospel" seems only to have emancipated them from the ancient notions of freedom, independence, and self-respect, which distinguished their fathers, and to have reduced them to a level with those oriental slaves whose conduct is noticed in Scripture. No mere material change in the composition of the house, could have effected the debasement, of which the Commons' journals contain such ample evidence. The cortes of Spain, after the loss of their power and independence, never addressed their king in language appropriated to the Deity, the Grand Turk, or Grand Lama. It required some such system of instruction as the Church of England was "reformed" to instil, to reduce Englishmen to such a state of degradation. The Commons' journals afford the best evidence of the zeal and success with which it propagated its doctrines. The members of that house seem to have had hardly an idea but such as was inculcated in the Homilies, or Canons of the Church, or in the "sayings and doings," essays and preachments of its head or its ministers. Thus, if we find these assigning a portion of God's omnipotence to their head, and saying, "Ye are Gods," and one of those heads exacting obeisances to her person and her table, which would have been

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\* Id. 151.

† See Com. Journ. for 5th Dec. 1621.

evidences of idolatry in Papists if offered to a representation or to the altar of their God, and another to whom his bishops in special manner attributed divine inspiration,\* talking of adorning “his person with some sparkles of divinity,” and “of the mystical reverence of them that sit in the throne of grace”—so we find harangues in the Commons in reference to that SACRED *majesty* prefaced by “*a Jove principium.*”† But lest we might be suspected of perverting expressions which we had carefully culled from a vast heap of qualifying matter, just take the summary of the debate on monopolies in 1601, by England’s favourite historian :—“ It was asserted that the Queen inherited both an enlarging and restraining power; by her prerogative she might set at liberty what was restrained by statute or otherwise, and by her prerogative she might restrain what was otherwise at liberty; that the royal prerogative was not to be canvassed, nor disputed, nor examined, and did not even admit of any limitation; THAT ABSOLUTE PRINCES, SUCH AS THE SOVEREIGNS OF ENGLAND, WERE A SPECIES OF DIVINITY; that it was in vain to attempt tying the queen’s hands by laws or statutes, since, by means of her dispensing power, she could loosen herself at pleasure, and that even if a clause should be annexed to a statute excluding her dispensing power, she could first dispense with that clause, and then with the statute. After all this discourse—more worthy of a Turkish Divan than of an English House of Commons”—the Queen sent word that she would cancel the most oppressive of the patents. “ The house was struck with astonishment, and admiration, and gratitude, at this extraordinary instance of the Queen’s goodness and condescension. A member said, with tears in his eyes, that if a sentence of everlasting happiness had been pronounced in his favour, he could not have felt more joy than that with which he was at present overwhelmed. Another observed, that this message from the sacred person of the Queen was a kind of gospel, or glad tidings, and ought to be received as such, and written in the tablets of their hearts;‡ and it was further remarked, that in the same manner as the *Deity would not give his glory to an-*

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\* At the conference at Hampton Court, Brodie, vol. i. 334—“ The spirit was foul-mouthed,” was the observation of a puritan doctor.

† Sir Thomas Crew’s speech, Com. Journ. 18-19, Jac. I.

‡ “ That which was delivered unto you from her sacred self I think to be gospel,” &c.—D’Ewes, 656.

other, so the Queen herself was the only agent in their present prosperity and happiness.\* The house voted, that the Speaker, with a committee, should ask permission to wait on her Majesty, and return her thanks for her gracious concessions to her people. When the Speaker with the other members were introduced to the Queen, they all flung themselves on their knees, and remained in that posture till she thought proper to express her desire that they should rise. The Speaker displayed the gratitude of the Commons;† but we will give a part of the oration in his own words. After expressing his gratitude for being vouchsafed access to her “**SACRED PRESENCE,**” he thus proceeds—“We cannot say, most gracious Sovereign, we have called and been heard, we have complained and have been helped; though, in all duty and thankfulness we acknowledge your **SACRED** ears are ever open, and your **BLESSED** hands ever stretched out to relieve us. We acknowledge, sacred Sovereign, that before we call, your **PREVENTING GRACE** and **ALL-DESERVING GOODNESS** doth watch over us for our good, more ready to give than we can desire, much less deserve. **THAT ATTRIBUTE WHICH IS PROPER UNTO GOD, TO PERFORM ALL HE PROMISETH, APPERTAINETH UNTO YOU, OUR MOST GRACIOUS SOVEREIGN QUEEN, OF ALL TRUTH, OF ALL CONSTANCY, OF ALL GOODNESS,** never wearied in doing good unto us.”‡ Need we give more of this? The oration being ended, “after three low reverences made, he with the rest kneeled down, and her Majesty began thus to answer herself,” &c. After proceeding for some time, she ordered them to stand up, “for I shall yet trouble you with longer speech.”§

Having thus traced the history of the parliaments of England, from the time they consisted of **MEN**, of **ENGLISH MEN**, till “enlightenment” putrified them into a mass of such loathsome, crawling reptiles, let us turn to the other evidences of the “disenthralment and impulse.”—But what could be

\* “Wherefore as God himself said, *Glarium meam alteri non dabo*, so may her Majesty say, in that she herself,” &c. &c.—Id. 657.

† Hume, vol. v. 468. On this practice of kneeling before her most sacred majesty, he subjoins the following note:—“We learn from Hentzner’s Travels that no one spoke to queen Elizabeth without kneeling, though now and then she raised some with waving her hand. Nay, wherever she turned her eye, every one fell on his knees. Her successor first allowed his courtiers to omit this ceremony. Even when Elizabeth was absent, those who covered her table, though persons of quality, **NEITHER APPROACHED IT NOR RETIRED FROM IT WITHOUT KNEELING.**” Ib.

‡ D’Ewes, 659.

§ Ibid.

expected by any one, who was not a fool or a philosopher, from such kings, such a Church, such parliaments, and such principles? With such rapidity did “the true Protestant Church” produce the results, for which the class of political heresies to which it belongs, are so eminently calculated, that under Elizabeth the government was so changed as “*to bear some resemblance to that of Turkey.*” Such is Hume’s opinion, and in support of it, he cites a multitude of facts for which it would be difficult to find a parallel in any more civilized country.\* Brodie attempts to explain away most of Hume’s statements,† but Hallam does not agree entirely with him, though he admits that he has succeeded in many points.‡ What a compliment to the genius of Protestantism, to have such writers disputing such a question! England, whose free government in Catholic times, had been the admiration of Europe, reduced under its first “true Protestant” sovereign§ to the state of Turkey! And this the opinion of the arch-enemy and libeller of Papists, and England’s favourite historian! But as few will dispute the justness of the comparison under its second and third “true Protestant” sovereigns, and it was the boast of the latter’s pacha,|| that in this country at least, he had made him “as absolute a prince as any in Europe,” let us examine the means wherewith Protestantism succeeded so rapidly in overthrowing the liberties of the nation.

The principal of these were, in addition to the management of parliament, the prostitution of the judges, the packing and punishing of juries, the Star Chamber, the High Commission, the rack, impressments, impositions without consent of the people, monopolies, martial law, libel law, &c. See how by these appliances the constitution was brought into perfect conformity with the theory of the established Church, as to “the gospel rights of princes.”—The judges decided whatever “the Lord’s deputy” desired to be law; juries were compelled to condemn the victims he selected for capital punishment; the

\* Vol. v. Appendix.

† Introd. c. 2.

‡ Const. Hist. vol. i. 306.

§ We call her the first, as it was in her reign the articles were settled as they have since remained.

|| “I had been defamed,” says Strafford, “for barbarous and cruel usage . . . and reported to all the world rather for a *basha of Buda*, than the minister of a pious and Christian king.”—Letters, vol. ii. p. 27.

Star-Chamber disposed of all others; the High Commission punished whatever he proclaimed to be heresy; the rack was necessary to give completeness and perfection to the system; by impressment he had the personal service of all his subjects at his command; by impositions all their property, real and personal; by monopolies the controul of all their trade and industry; by martial law he was the very “grand Turk;” and by libel law, he prevented the complaints of the faithful. We might go through the entire catalogue, but it would be worse than useless; we shall content ourselves with proving that for the discovery of these—the principal,—we are indebted solely to the advance of enlightenment. For this purpose we might rely on the ground on which they all, with the exception of the libel law, were severally suppressed,—their being contrary to the ancient laws and liberties of England; but we prefer making the matter so plain, that even Protestant “piety” will be ashamed of its slanders.

All modern writers agree in eulogizing the judges from the reign of Edward III. to that of Henry VII.\* The only exceptions to the general eulogy are Thorpe, who was convicted of bribery, and hanged in the twenty-fourth year of Edward III, and the judges of Richard II. The light in which judicial corruption was regarded in that day, may be conceived from the circumstance of Thorpe’s taking bribes from three persons, who were to have been tried before him, being declared a traitorous and rebellious act, and a breach of the king’s oath.† The judges of Richard II, when put on their trial, declared that they signed those unconstitutional answers solely through fear of instant death.‡ Belknap, on two separate occasions, refused to do so, though threatened with immediate death, and when at last he did sign them, he declared that he deserved death for so doing.§ This compulsion he urged as a palliation of his offence. The others make similar defences, except that the majority admit they signed them on the first occasion they were threatened. It should be borne in mind, that it was not in open court in Westminster Hall they gave

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\* See the eulogies of Coke on “*the honourable and true-hearted courage*” of the clergy, who were judges in early times, in maintaining the laws and customs of the realm from encroachment, and in the discharge of their duty, not looking *abore them or about them*. 2 Inst. 265, 573.

† 3 Inst. 223.

‡ We, of course, except Tresilian, C. J., who was one of the conspirators. Only six other judges signed the questions.

§ Speed, 731.

those answers, but in the castle at Nottingham, where they were beset by Richard's ruffians, and had no chance of escape or protection ; and that the very worst opinion they signed was, that the procuring of the parliamentary commission of the tenth year of that reign was an act of treason against the king. The conduct of the parliament proves that they believed in the truth of their defences, for though they hanged Tresilian and sergeant Blake, who drew up the questions for the judges, and the indictment against the commissioners, and Huske, who procured the office of subsheriff of Middlesex for the purpose of packing the juries to try such as were commoners, they only banished the judges who made those defences, allowing them small pensions for life ; they make it the first charge against Richard, that he compelled the judges, "by fear of death and corporal suffering," to support the plot against the commissioners ;\* their second demand, in the first parliament of Henry IV, is, that "neither the lords spiritual or temporal, nor the justices, should be allowed, in future times, to excuse themselves by saying, "that they dare not execute or declare the law nor their minds for fear of death,—or that they are not free of themselves, SINCE THEY ARE MORE BOUND IN REASON TO KEEP THEIR OATHS THAN TO FEAR DEATH OR ANY FORFEITURE ;"† and in the following year they restore two of them—probably then the only survivors—to all their rights; these reiterating in their petition their former statement, as to having signed the opinions not of their own free will, but by duresse and compulsion, and adding, that they could prove it by those who were present at the time.‡ What higher eulogy could be passed on any men than the above, clearly implying, that they were not to be induced by anything short of death, to speak against their conscience and the law ? Richard, in the parliament in the twenty-first year of his reign, was anxious to find a pretext for setting aside the proceedings against his favourites and the judges, but could get only two sergeants and one other lawyer to say that the answers were good and lawful.§ "The proceedings against those judges served," says Petyt, "as an excellent almanac for the meridian of Westminster Hall, and *circumspecte agatis* to many succeeding judges, until about the end of queen Elizabeth's

\* "Metu mortis et cruciatus corporis violenter attraxit." R. P. Hen. 4, 418. They make his conduct to his judges on other occasions the subject of two other charges.

+ Id. 433.

‡ Id. 2 Hen. 4, 461.

§ See 21 Ric. 2, c. 1.

reign."\* No one of our sovereigns prior to the Reformation, thought he had a right to change the judges of his courts as he would the scullions of his kitchen. One of the ancient titles of the justices of the king's bench was "*perpetui*, for that they ought not to be removed without just cause."† The judges were then regarded as the impartial interpreters of the law, as well between king and subject, as between subject and subject, and from the earliest times he was entitled to no more favour than the meanest of his lieges.‡ By their oaths and duty, they were bound not to delay or refuse justice to any man in consequence of any letters, commands, writs, messages, or protections from him,§ and to give "advice or counsel to no man, great nor small, in no case where the king is party."|| As they were to decide strictly according to law between the parties, of whatever rank, it was not deemed conducive to the proper discharge of this duty, that either party should consult them beforehand; and on this point, the practice of our judges for the last few years, is merely a return to that which prevailed before the Reformation. We find the judges refusing to declare their opinion beforehand to Edward II, till they should obtain the assent of the peers in parliament.¶ When the Lords, in the name of Henry VI, order them to find objections against the duke of York's claim to the throne, one of the grounds on which they excuse themselves is, "that they were the kyng's justices, and have to determinye such maters as come before them in the lawe betwene partie and partie, and in such maters as been betwene partie and partie *they may not be of counseill, and seth this mater was betwene the king and the said duke of York as two parties, and also it hath not been accustomed to calle the justices to counseill in such maters,*" &c. &c.\*\* Coke, whose anxiety to restore this practice, and reprobation of "auricular taking of opinions," as being against the custom of the realm, are well known to legal readers, directs attention to a like answer given by the chief justice of the king's bench to Henry VII in the first year of his reign. He appears to have enquired privately what their opinion was in "the case of Humsrey Stafford, that arch traitor," whereupon the chief-justice begged him "not to desire to know their opinions

\* Jus. Parl. p. 211.

+ 4 Inst. 75.

† "Rex in justitia recipienda minimo de regno suo comparatur." Bracton, lib. i. c. 8, f. 5, b; lib. iii. c. 9, f. 17.

§ 2 Inst. 56.

|| 20 Edw. 3, c. 6.

¶ Rot. P. 9 Edw. 2, 354.

\*\* Id. vol. v. 367.

beforehand, for they thought it should come before them in the king's bench judicially, and then they would do that which of right they ought; and the king accepted it."\* He also cites another decision of the same character in the reign of Henry VIII, as to the peers not consulting the lord steward or judges in the absence of a prisoner.† Empson and Dudley seem to have stood alone in infamy among the judges of Henry VII; and even they did not probably overstep the strict bounds of the law, as a statute had been made by which they could, without the intervention of a jury, decide complaints under the various laws, which they made such fruitful sources of exaction;‡ and Empson complains in his defence, that "the people, on whose equal trial I should put my life, seek my destruction only because I endeavoured to execute those laws *whereof themselves were authors.*"§ *Nemo repente fuit turpissimus*, is true of professions and nations, as well as of individuals. It required time and training to transmute that body—which through so many ages had, with these few exceptions, preserved their character untainted by the breath of suspicion; whose fearless and impartial administration of the laws had won the love and esteem of Englishmen; whose conduct has been the pride and boast of every lawyer since, and is now held up as the model for their successors in this nineteenth century;||—into such beings as under our first half-dozen "true Protestant" sovereigns, presided in what were still called the courts of justice. The germ of the "enlightened" improvement seems to have been laid by Henry VII,¶ and so rapidly did it produce its fruits, that the judges

\* 3 Inst. 29. In the Year Book, 1 Hen. 7, f. 26, the passage is, "Car ils entendent q'il viendra en Banc le Roy judicialment et donq'il veul faire ce qe de droit ils doivent faire. See also 2 St. Tr. 871.

† 3 Inst. 30. ¶ 11 Hen. 7, c. 3. See 2 Inst. 51. § 1 St. Tr. 285.

|| Having, in a former paper, given Clarendon's contrast between the ancient and the Stuart judges from his history, we cannot resist the temptation of the following tribute also from his speech against the ship-money judges,—"It was once said, by one who always spoke excellently, that *the twelve judges were like the twelve lions under the throne of Solomon—under the throne in obedience, but yet lions.* Your lordships shall, this day, hear of six who were no lions—who, upon vulgar fears, delivered up the precious forts they were trusted with, almost without assault; and, in a tame and easy trance of flattery and servitude, lost and forfeited (shamefully forfeited) *that reputation, awe, and reverence, which the wisdom, courage, and gravity of their venerable predecessors had contracted and fastened to the places they now hold,*" &c. Rushworth's Collec. Part. 2, 1360.

¶ Sir Thomas More, among the various new schemes, which he represents as having been suggested to the king, states that some recommended him to send for the judges frequently to the palace, and make them argue before him those matters in which he was interested; "since that how unjust soever any of his

had become such undisguised advocates of the crown in state prosecutions, and their conduct had attracted such attention, that Mary, soon after her accession, on appointing the chief-justice of the Common Pleas, was obliged to express her desire, “that all her justices should not persuade themselves to sit in judgment otherwise for her majesty than for her subjects,” and especially to charge him “to minister the law and justice indifferently, without respect of persons, and notwithstanding the old error amongst you, which did not admit any witness to speak, or any other matter to be heard in favour of the adversary, her majesty being party,\* her pleasure was, that whatsoever could be brought in favour of the subject should be admitted to be heard.”† In the early part of Elizabeth’s reign, they are commonly said to have acted with great integrity and independence; thenceforth they degenerated, by rapid degrees, till they laid aside every semblance of decency under Charles I. Ere we part with this subject, let us notice a rather singular—coincidence. The chronicler of the Reformation tells us, that in the early part of Elizabeth’s reign, “the lawyers in the most eminent places were generally favourers of popery; but,” adds the Whig constitutional historian of England, on citing the statement, “if he means the judges, they did not long continue so.”‡

pretensions may be, yet still some one or other of them, either out of contradiction to others, or the pride of singularity, or that they may make their court, would find out some pretence to give the king a fair colour to carry the point,” &c. &c. “And they being thus gained, all of them may be sent to the Bench to give sentence boldly as the king would have it. For fair pretences will never be wanting when sentence is to be given in the prince’s favour. It will either be said that equity lies of his side, or some words in the law will be found sounding that way, or some forced sense will be put on them: and, *when all other things fail, the king’s undoubted prerogative will be pretended as that which is above all law, and to which religious judges had need to have a special regard.*” Utopia, lib. i. 76.

\* Another of the devices of the disenthraling epoch charged, according to custom, on *ancient and early times*. Blackstone (vol. iv. 359) says “it was an ancient and commonly received practice,” and refers for proof to “St. Tr. i. passim.” In the index to the State Trials, title *Witnesses*, we find “Instances in early times of the refusal of judges to hear witnesses against the crown in criminal cases, 1 vol.” &c.; and on looking to the references we find not a single instance of such a refusal prior to the Reformation. Coke says, “we never read in any act of parliament, ancient author, book case, or record, that in criminal cases the party accused should not have witnesses sworn for him, and therefore there is not so much as *scintilla juris* against it.”—3 Inst. 79.

† 1 State Trials, 888.

‡ Strype, 269, cited in Hallam’s Const. Hist. vol. i. 129. The inns of court were in that reign one of the strong holds of Catholicism, and were more than once purified by examining the members and sending them to the Fleet. Const. Hist. ib. & 152.

There is not a single instance to be found of any jury being punished by fine, or imprisonment, or any other means, for an improper verdict prior to the Reformation, except by the ancient process of attaint. It had been from time immemorial a fundamental principle of law, and one which was observed with a scrupulosity at which modern lawyers would almost wonder, that the judges should answer only to the law, and juries to facts, and that neither should encroach on the jurisdiction of the other. All the authorities up to the Reformation, without a single exception, are clear against the practice of the days of enlightenment; and even the statute of Henry VII, for reviving or establishing the star-chamber, though many Protestant writers say its principal object was to punish the corruption of jurors, enumerates the various offences of which that court was to have cognizance, but contains not a syllable as to punishing juries for their verdicts.\* It does not appear satisfactorily whether it was in the reign of Henry VIII or Edward VI, that this practice commenced: but in the case of Sir Nicholas Throgmorton, in the first year of Mary's reign, the committal of the jury for acquitting him seems to have taken place as a matter of course, and without exciting any observation as to its being novel or extraordinary.† We find no notice, however, of any other case in that reign.‡ In succeeding times this practice became the usual and “constitutional” mode of taming refractory juries, till at length, in the reign of Charles II, the judges declared it illegal, as being unknown and opposed to the common law.§

\* 3 Hen. 7, c. 1. See also Fortescue de Laudibus Leg. Angliæ, c. 20, 25, 27, 30, and notes by Amos. 5 Edw. 3, c. 10; 34 Edw. 3, c. 8; 38 Edw. 3, stat. 2, c. 1; Rot. Parl. 8 Edw. 3, 376; 6 Ric. 2, 140; 9 Hen. 5, 162-3; 29 Hen. 6, 213; 14 Edw. 4, 160; 6 St. Trials, 951 to 1026, and authorities there collected, especially the ancient cases cited in 1019 and 1020. In the reign of Edward III it was specially provided, as being “according to the course of the good laws anciently used,” that “after the jury depart with the charge, no judge or other person should speak to them, to move or procure them, but that on their peril, and on their oaths, they should say the very truth.” —Rot. P. vol. ii. 259-266. In the same reign it was provided that the clergy should in every parish excommunicate false jurors.—Id. 8 Edw. 3, 376.

† 1 St. Trials, 899. Griffin, the attorney-general, who prayed for holding the jury to bail, and obtained their committal, had held the same post under Edward VI. (Petyt, Jus. Parl. 137.) Some of the judges, too, had exercised themselves in packing juries in a former reign. (See Throgmorton's Speech, 1 St. Trials, 871.)

‡ Sir Thomas Smith, in the reign of Elizabeth, referring to two instances of juries having been punished for their verdicts, of which the above is supposed to be one, says they were then considered, by many, very violent, tyrannical, and contrary to the liberty and custom of the realm.—Commonw. lib. iii. c. 1, cited in Hallam's Const. Hist. vol. i. 52; where also, p. 53, see an instance of the Duke of Norfolk's refusing, in 1536, to question a jury for their verdict.

§ See Wagstaff's case, 2 Hale, P. C. 312, and Bushell's 6 St. Tr. 968.

Sir Edward Coke puts forth all his learning to prove that the star-chamber existed as a court of separate jurisdiction prior to the act of Henry VII, and cites fifteen cases, out of which, Brodie says, “nine are misrepresented, or quite inapplicable to the question. Of the two first cases quoted by him, Prynne could not discover a trace in the records referred to.” The third was decided in chancery, the fourth and fifth in parliament. “The eighth, which the venerable author quotes as the most irrefragable, announcing that Lord Dyer had reported it under his own hand in the first of Elizabeth, when he thought it necessary to vindicate by authority the legality of the court, Prynne proves by the production of the record not to have had the most distant relation to the star-chamber.”\* We might however be content with what Coke himself acknowledges; he says, “THIS COURT IN ANCIENT TIMES SAT BUT RARELY, for three causes; first, for that enormous and exorbitant causes, which this court dealt withall only in those days, rarely fell out; secondly, this court dealt not with such causes as other courts of ordinary justice might condignly punish, *ne dignitas hujus curiae vilesceret*. Thirdly, it VERY RARELY DID SIT, lest it should draw the king’s privy council from matters of state *pro bono publico* to hear private causes, and the principal judges from the ordinary courts of justice.”† After citing the statute of Henry, he next quotes Camden, who says, that Henry so increased and established the authority of the star-chamber by the aid of parliament, “*that some falsely supposed he was the first that instituted it.*”‡ Henry’s own judges thought so:§ but this Sir Edward calls “a sudden opinion.” With all his researches and inventions, he however pretends not to have found one case in which any man’s ears or nose suffered dissection, for the maintenance of the constitution, or a jury was fined or imprisoned, or a proclamation voted to be law. He tickles the fancy with some pompously expressed “reasons of state” for the jurisdiction of this tribunal, but cites not one ancient writer. He could not; the people in those ages of “darkness” would no more endure such a court, than they would any other instrument of despotism. Fortescue counts it among the felicities of Englishmen,|| “that they are not sued at law, but before the ordinary judge,

\* Hist. of B. Emp. Introd. p. 177-8. See the entire subject very ably discussed by this writer.  
+ 4 Inst. 61.

‡ “Nonnulli primum instituisse falso opinantur.” So cited by Coke, Ib. supra.

§ Plowd. Com. 393, and Y. B. 8, Hen. 7, 13.

|| De Laud. Leg. Angl. c. 26.

where they are treated with mercy and justice according to the laws of the land; neither are they impleaded in point of property, or arraigned for any capital crime how heinous soever, but before the king's judges, and according to the laws of the land." So jealous were they of any departure from the common-law mode of trial, that we find them opposing with the utmost zeal the equity jurisdiction of the Chancery and Exchequer, even though at first, all matters of fact seem to have been determined there by juries;\* procuring an enactment in the last year of Henry V, that it should be a sufficient exception to discharge any matter in chancery, that the party had a proper remedy at common-law; and praying in the first year of Henry VI, that no one should be compelled to appear before the council or chancery for any matter, unless two judges of the King's Bench or Common Pleas should first certify that the complainant could not have any remedy at common-law.† So obnoxious was the star-chamber in the reign of Henry VII, even with the moderate jurisdiction it then exercised, and the caution with which it proceeded, that after a few years it was abandoned altogether; Henry VIII revived it, and his "true Protestant" successors brought it to perfection.‡

That the court of High Commission was first established by Elizabeth, is a matter which we believe even the Protestant association could not question.

Torture had never been known in England prior to the Reformation. The practice of it in continental countries is denounced by one of her "benighted" chancellors, as not deserving the name of a law, but as "*the very short cut to hell.*"§ Coke says, "there is no one opinion in our books or judicial records, (that we have seen and remember), for the maintenance of tortures or torments;" declares that it is against the great charter, cites a multitude of authorities as to the principles of the common-law not suffering a prisoner to be even chained prior to his conviction, adds that "all the said ancient authors are against any pain or torment to be put or inflicted upon the prisoner before attainder, nor after attainder, but

\* See Rot. P. 4 Hen. 4, 507.

† Id. 1 Hen. 6, 189. Mr. Hallam mistook these and some other entries for evidence of the antiquity of the star-chamber, but Coke is obliged to refer them to their proper object. See 4 Inst. 82-3.

‡ See Brodie on this subject. Introd. p. 174-194.

§ "Vere non lex ritus talis esse perhibetur sed potius semita ipsa est ad Gehennam."—Fortescue De Leg. Laud. Angliæ, c. 22.

according to the judgment ;” and compares the proceeding with that of “ Rhadamanthus, that cruel judge of hell,” who

“ Castigatque auditque dolos subigitque fateri.”

“ First he punished before he heard, and when he heard his denial, he compelled the party accused by torture to confess it.”\* Yet Coke himself, on the solicitation of Lord Bacon, signed a warrant for its infliction.† Blackstone says, “ trial by rack is utterly unknown to the law of England : though once, when the Dukes of Exeter and Suffolk and other ministers of Henry VI had laid a design to introduce the civil law into this kingdom as the rule of government, for a beginning thereof they erected a rack for torture, which was called in derision the Duke of Exeter’s daughter, and still remains in the Tower of London, where it was occasionally used as an engine of state, not of law, more than once in the reign of Queen Elizabeth.”‡ Thus Blackstone proves her title as the first English Rhadamanthus.—“ The rack,” says Hallam, “ seldom stood idle in the Tower for all the latter part of Elizabeth’s reign.”§ Archbishop Whitgift looked upon the practice as so Christian and laudable, that in drawing up the

\* 3 Inst. 35.

† See Luder’s Tracts, chapter on the judges of the sixteenth and seventeenth centuries, and 2 St. Tr. 774. ‡ 4 Com. 326.

§ Const. Hist. vol. i. 159. It is painful to find one of Mr. Hallam’s high character repeating, without consideration or authority, all manner of charges against Mary. Thus he says (vol. ii. p. 45), “ The torture is perhaps more frequently mentioned in her short reign than in all former ages of our history put together.” He refers to Burnet, ii. app. 256, iii. 243, and Haynes, 196. What does Haynes prove ? In the instructions for the council in the marches of Wales, given by him as in the first year of Mary, but without further date or any proof of their authenticity, authority is granted to the commissioners to “ *put to tortures* ” any person accused or suspected of treason, murder, or felony. It is strange that *tortures* is the only English word, not the name of a person or place, printed in italics in the entire document, though this extends to nine pages ; that there is nothing in the context to prove that this was the word really used, as to *put to bail*, *to prison*, &c. would answer equally well ; and that in the index the only two articles of these instructions which the author notices, is this one and another which he there describes as empowering the commissioners “ *to dispense with acts of parliament* ”, but which merely authorises them to compound for forfeitures under penal statutes. (See vol. i. p. 195.) In Burnet, ii. app. 256, there is not a single syllable as to torture. The document there given is merely a commission to certain persons to remove such bishops as they should ascertain, by “ summary examination,” to have married against their vows, &c. In the second reference we find Burnet stating, “ On the 9th of June, letters were written to the Lord North, and others, to put such obstinate persons as would not confess, to the torture, and there to order them at their discretion,” and then arguing against the impropriety of the practice ; thus leaving it to an incautious reader to infer that the orders were carried into execution, without compromising his own veracity by asserting it. He does not give any of the letters, nor say that any one was tortured, nor does Haynes.

counts of an accusation against a member of the Commons, he finds two of them on the fact, that the culprit “condemneth (without exception of any cause,) racking of grievous offenders, as being cruel, barbarous, contrary to law, and unto the liberty of English subjects,” and “thereupon giveth a *cavent* to those in the marches of Wales, who execute torture by virtue of *instructions under Her Majesty's hand*, to look to it,” &c.\* This system was the law of England till the assassination of Buckingham by Felton, when the ministry fearing that, if the latter were racked he would accuse some of themselves, caused the judges to come to a resolution, declaring that its infliction was illegal.† It has been inflicted since the Revolution in Scotland with the authority, and under the warrant of William III.‡

Imprisonments, impositions, and monopolies, without consent of parliament, have been so frequently discussed, are so palpably against the first principles of the constitution, and the history of them is so well known to the generality of readers, that it would be a waste of time and space to dwell on them.

Never, since the wars with John and Henry III, had there been any attempt to supersede all ordinary law by martial law, except during open flagrant war or insurrection, till the Reformation. From the time of Henry VIII to the breaking out of the civil wars, all the north was governed by martial law, or the sound discretion of the president.§ The putting a man to death by martial law during peace was murder by the common law. Even Mr. Hallam, disposed as he is to make admissions against the ancient administration of justice, says, “there hardly occurs an example of any one being notoriously put to death without form of trial, except in moments of flagrant civil war.”|| It would be absurd to discuss such a question. Elizabeth's ordering the execution of Burchett, the riotous apprentices, and the vagrant paupers about London, by martial law¶ is a clear proof of England having then risen to the meridian of Turkey. Strype represents her as having been influenced in the proposition respecting Burchett by, perhaps the law and usage for some centuries before the Reformation?—No, but by the solitary precedent of Mary

\* Strype's Whitgift, vol. i. p. 402.

+ 3 St. Tr. 367, and Ellis' Original Letters, vol. iii. p. 267.

‡ 10 St. Tr. 754. William orders them to proceed “with all the rigour the law allows in such cases.”

§ See 12 Rep. Case of the Lords Presidents.

|| Mid. Ages, vol. ii. p. 365.

¶ See Brodie, Introd. 224-6.

hanging Wyatt by martial law. It is notorious that Wyatt was regularly tried in the ordinary way, as well as all his followers. Brodie suggests that if any one were executed by martial law, it must have been some soldier who deserted from the queen's forces.\* But there is no hint in any other writer† that any one was so disposed of. We must therefore attribute the precedent to Strype's pious invention.

The libel law, prior to the Reformation, was in a very barbarous state. No wretch could be punished for any libel or slander, even on royalty itself, unless the charge was false, and even then, the only punishment was a moderate fine and a moderate imprisonment. It could not be expected that such a vestige of barbarism should stand long before the full effulgence of gospel light and Protestant liberty. Accordingly, we find Edward VI making a law by proclamation that justices of the peace, without the intervention of a jury, should send tellers of false tales and lies to row in chains in the galleys; Elizabeth cutting off a pamphleteer's right hand, and issuing a proclamation to punish all libellers against her by martial law;‡ and finally, the star-chamber, in the reign of James I, passing a law to make all libels, whether true or false, little less than capital offences. In the account which has been transmitted to us of the making of this law, there is not the slightest allusion to the pre-existing statute and common law, or a pretence that it was sanctioned by any ancient authority or precedent, but merely by reasons of state, sound policy, and—*SCRIPTURE*.§

We might easily prove that each and every of the various other devices adopted from the time of Henry VIII to the Revolution for making slaves of the people was unknown to the lawyers of England before the time of that illustrious Reformer; but having directed attention to the source and the epoch of the preceding, we shall leave the discovery of the remainder to the common-sense of our readers. Nor shall we dwell further on the hostility of “the true Protestant Church” to free and liberal institutions, as exhibited in that period, or on the closeness of the resemblance between England and Turkey; nor contrast the cant of Protestants of every class and creed and order, and in all their various phases, in behalf of li-

\* Introd. p. 210-16.

+ Mr. Hallam repeats the statement of Mary's hanging men in Wyat's rebellion in this way,—but cites no authority.—It was not worth while to examine the charges against such a monster.

‡ See Hallam's *Const. Hist.* vol. i. p. 40, 249, 250, 259.

§ See 5 Rep. 125. *De Libellis Famosis.* It would be an abuse of words to call it a decision. This remains in force up to the present moment.

berty and equality, with their practical devotion to despotism ; nor notice the ingenuity, with which they perverted the ancient forms of the constitution to promote the thraldom they loved, and opportunities for securing the rights of the nation into means for procuring some private personal advantages, by laying the people in fetters at the feet of a despot : for all these things are familiar to every reader of our history, and to every indifferent and impartial observer must prove to demonstration that the justice, the equality, the freedom, and the disinterestedness of their Catholic fathers, as embodied in the constitution, were things which they could not understand, that that constitution was an inheritance which they were utterly unfitted to enjoy, and that the best proof of worldly wisdom they exhibited, was in disposing of it, whenever they could, after the fashion of Esau, their worthiest Scriptural prototype.

Let us come now to that epoch to which Protestantism is so fond of reverting, from which the Church of England dates its hostility to arbitrary government, and for which it is still in the habit of annually chanting its pœans. Protestant ingenuity has been so employed to heap on Catholicism the opprobrium excited by the conduct of James II, that plain and palpable as the facts are to all who examine history for themselves, we deem it necessary to direct attention to the real culprits.

What were James's crimes ? He continued the duties, which had expired with the death of Charles, without the authority of parliament. Was this a crime in the eyes of Protestants ? It was his Protestant ministers who sanctioned and advised it. His Protestant parliament made no observation on it, his Protestant subjects made no objection, but professed their readiness to pay them, his Protestant universities maintained its lawfulness by the law of God, and the society of the Middle Temple, by the law of the land, adding that it had never been disputed, except by persons engaged in rebellion against his father.\* He dispensed with acts of parliament by his declaration in favour of liberty of conscience. Eleven out of his twelve Protestant judges solemnly decided that he had a legal right to do so;† the laws of England were the king's laws, and it was therefore an inseparable

\* Fox, 90-2 ; Lingard, vol. xiii. 3-4.

+ It is a matter of disputation whether one of the eleven was not a secret convert to Popery. The twelfth, who denied the dispensing power, was so little thanked for his conduct that he was left out of the commission after the Revolution, and was not even received at court by William. See 11 St. Tr. 1198, and Mackintosh's Hist. 59.

prerogative of the crown, to dispense with them when it saw occasion.\* The society of the Middle Temple again volunteered an address of thanks for his “asserting his own royal prerogatives, the very life of the law and of their profession,” and declared their resolution to defend “with their lives and fortunes, that divine maxim *a Deo Rex, a rege Lex;*†” addresses, thanking him for this assertion of his royal prerogative, came up “from every description of persons, the clergy, the non-conformists of all denominations, the grand juries, the justices of the peace, the corporations, the inhabitants of towns,”‡ and all other classes whose creeds had taught them to rejoice in thraldom. “The truth,” says Mr. Fox, “seems to be, that the king in asserting his unlimited power, rather fell in with the humour of the prevailing party, than offered violence to it.”§ The dispensing power had been claimed by all our sovereigns, since the time of Elizabeth; was asserted by the great modern father of the law, with all the vehemence to be expected from a Stuart placeman;|| was admitted in its full extent by the House of Commons which extorted the petition of right from Charles, and by Hampden’s counsel in the ship-money case;¶ even in the Declaration of Rights, was not denounced in all cases, but “as it had been assumed and exercised of late;”—in the Bill of Rights was expressly recognised as legal, up to the end of that session, by a clause providing “*that from and after this present session of parliament, no dispensation by non obstante of, or to any statute, or any part thereof shall be allowed,*” except in such cases as should be provided for by statute; was looked upon by the House of Lords as so inherent a part of the constitution, that it was with extreme difficulty they could be induced to assent to the above qualified denial of it;\*\* in 1766, was strenuously maintained by Lords Camden and Chatham, in a public debate in the House of Lords;†† and regarded as so unquestion-

\* Hallam, *Const. Hist.* vol. ii. 407, referring to case in 11 St. Trials, 1165, 2 Shower’s Rep. 475.

+ Id. p. 418. What an inversion of the barbarous Popish maxim, *Lex facit Regem!*

† Ib. § *Hist. of Reign of James*, p. 155. || 12 Rep. 18.

¶ Hume, vol. viii. 259. \*\* See Hallam, *Const. Hist.* vol. ii. 451.

†† See “Debates on the Bill of Indemnity for those concerned in the late embargo.”—*Parl. Hist.* vol. xvi. 245. “Some of the ministry and their friends, who had been not only the warmest advocates for liberty, but who set up as the patrons and defenders of it, were charged with such a change in their minds and opinions that they vindicated the present exertion of prerogative not only from the peculiar circumstances that seemed to influence it, but *they also supported it as a matter of right, and asserted that a dispensing power in cases of necessity was one of the prerogatives inherent in the crown.*”—Id. 247, and “they cited the opinion of Mr. Locke,” &c. 248.

able a prerogative, that it was with the greatest difficulty Lord Mansfield could persuade that House to allow a bill to pass for indemnifying those officers, who had violated the law under the royal authority ; and even in this nineteenth century has been considered by the Whig constitutional historian of England, as so consistent with law, that he declares himself in favour of the correctness of the decision of the eleven Protestant judges.\* Was this a crime then in the eyes of Protestants ? He might have dispensed, not only with impunity, but with glory, with all the laws that ever appeared on the statute book, provided he did not restrict the ability of the Church of England to persecute dissenters from her articles. This was “the head and front” of his offending. It is acknowledged that the second declaration in favour of liberty of conscience, was published more for the benefit of the dissenters, than of the Catholics, as these were sufficiently protected by the decision of the judges.† He established a court of high com-

\* Const. Hist. vol. ii. 407. As Mr. Hallam considers this an *ancient* prerogative, and following the unscrupulous misrepresentations by Coke in his reports—edited under the care of James I—of the case in the Year Book, 2 Hen. 7, f. 6, says it was solemnly resolved in that case that a patent of the office of sheriff for life, with a *Non Obstante* clause dispensed with the 23 Hen. 6, c. 8, which expressly provided that no such clause should avail to make such a patent good ; we may remind him that Coke, in his 2 Inst. 559, gives an “advised resolution” of all the judges, in 34 Hen. 6, to the contrary effect, and that Petyt (*Jus. Parl.* 75 to 180) proves beyond contradiction, that no such doctrine was known or recognised in law even so late as the reign of Mary ; that in that case, in the Year Book, the 23 Hen. 6, c. 8, was not even mentioned, and that “there was never any resolution at all given,” the court causing the following singular entry to be added after the observations which had been made in the discussion of the question by a few of their number :—“But as this is the first time, the justices and serjeants, and the king’s attorney, agree that they shall study well for the matter and that they shall be heard, and that what they have now said goes for nothing, as they wish to be at their liberty to say what they please, and to hold for nothing what they have now said.” “Mes pur ceo que le fust le primer temps les justices et sergeants et l’attorney le roy agree que ils student bien pur le matter et ils serra oies et ceo que ils diont fuit pur nient car ils voile este a lour libertes a dire que ils voile et pens pur riens que ils ussent a ore dit.” Reference is also made to the Year Book, 11 Hen. 7, f. 12, as to the difference in dispensing power in cases of *mala prohibita* and *mala in se*. Petyt points out that all that appears there is merely the *gratis dictum* of the chief-justice. Such are the only cases which the Protestant advocates of despotism could find in those annals of Catholic jurisprudence, though extending through so many “dark” and tyrannical ages. In 1391 the Commons allow Richard II, with the advice of the Lords, to relax the statute of provisors *till the next parliament*, under several conditions, and with this protestation recorded on the roll, “qe cest assent q’ est une novellerie et n’ ad mye este fait devant ces heures, ne soit trait en ensample n’en consequence en temps avenir”—“that this assent which is a novelty and has not been done before this time, shall not be drawn into an example or precedent in time to come.” Rot. P. 15 Ric. 2, 285.—Contrast this with the above “glorious” &c. “as it has been assumed and exercised of late.” See also R. P. 5 Ric. 2, 114; 17 Ric. 2, 327; besides authorities collected in Petyt.

+ Const. Hist. vol. ii. 416.

mission. Did it consist of Papists? He dispensed with some statutes in the universities. The right of the crown to do so since the Reformation had not been doubted.\* He scoured the corporations. Charles did it by a worse, but more circuitous process, corrupting and packing the courts and juries. Who were James's principal agents in this business, and who gained the greatest number of corporate offices by it? the dissenters.† He maintained a standing army. A Protestant parliament voted him ample funds, which enabled him to do so. He attempted to influence the elections unduly. What a crime in the eyes of Protestants! It had not been the practice since the Reformation,—peculiar facilities were not provided for it immediately after the Revolution,—it has not been known since. Of course, not! Had he, instead of nibbling at trifles, issued royal certificates, transmuting all the hamlets and cottages on his estates, and the estates of his friends, into “free and independent” boroughs, with them swamped all opposition, and thus abolished “the true Protestant Church,” by the same process by which it was established, he would have been acting in the most constitutional manner imaginable—according to Protestants. He ordered the clergy to read the declaration in favour of liberty of conscience in the churches. As head of the Church he had a right to do so.‡ They had never before refused to read anything ordered by their head, and would have made no objection to read any injunctions of an opposite character.§ “The injunction,” says Hallam, “to read the declaration of indulgence in churches, was less offensive to scrupulous men, than the similar command to read the declaration of Sunday sports in the time of Charles I; nor was any one punished for a refusal to comply with the one, while the prisons had been filled with those who had disobeyed the other.”|| The seven bishops he only tried for a libel, in denying his dispensing power, and might have convicted, had he pursued the long-established Protestant practice of packing, bullying, or bribing the jury. “No man,” says Hallam, “had been deprived of his liberty by an illegal warrant; no man except in the single, though important instance of Magdalen college,

\* Const. Hist. vol. ii. 421.

+ Ib.

† See, as to this being still a disputed question with the dignitaries of the Establishment, “An Appeal on behalf of Church Government.” London: 1840. Supposed to have been published under the sanction of Archbishop Whately.

§ They read Charles II’s declaration respecting the dissolution of his two last parliaments, and his proceedings against the Rye-house plotters. See Sir J. Macintosh’s Hist. of Rev. 242-3.

|| Id. supra, 429.

had been despoiled of his property, and even in that case Elizabeth would have probably acted as he did.”\* If he deferred assembling the parliament for a few years, that was no offence in the eyes of Protestants, and he did so contrary to the wishes of the Catholics who eagerly pressed for its convocation.† Where is the proof of the Catholics having, even in that hour of their triumph, shewn a disregard for the liberties of England? Amidst all the servile addresses which poured in on James for his assertion of his dispensing prerogative, why have not our calumniators pointed out one from any body of Catholics, eulogizing him for maintaining that first principle of despotism?‡ Even Hume admits that all judicious persons of the Catholic communion were disgusted with his measures, and foresaw their consequences; and that Lords Arundel, Powis, and Bellasye, remonstrated against them, and suggested more moderate measures.§ The Pope himself, and the Spanish ambassador, pointed out the indiscretion of them.|| It was the great misfortune of the Catholics, that he took a few of them into his council; as thereby his Protestant advisers and enemies, had the opportunity of throwing on them the whole opprobrium of his conduct. As Fox observes, he had no need of Catholics to establish a despotism, if he only adhered to the Protestant Church; for effecting this object “*he could not take a more judicious resolution than that which he had declared in his speech to the privy-council,*” at his accession, “*of making the government of his predecessor the model for his own.* He therefore continued in their offices, notwithstanding the personal objections he might have to some of them, *those servants of the late king, during whose administration that prince had been so successful in subduing his subjects, and eradicating almost from the minds of Englishmen every sentiment of liberty.*”¶ The same writer, after detailing the violent and arbitrary proceedings of James in the first year of his reign, observes that the most furious supporters of those measures were not Catholics. “There is no reason therefore to impute any of James’s violence afterwards to the suggestions of his Catholic advisers, since he, who had been engaged

\* Id. 421.

† Mackintosh, 419, note.

‡ See Lingard, vol. xiii. 58, as to differences amongst the Catholics with regard to his declarations. Of 180 addresses presented to him in 1687 there were only two from Catholics; the rest were divided almost equally between the Church and Dissenters.—Mackintosh’s Hist. of Revolution, 176.

§ Vol. viii. 265.

|| Butler’s Memorials of the Catholics, vol. iv. 190.

¶ Hist. 78-9.

in the series of measures above related with *Protestant counsellors and coadjutors, had surely nothing to learn from papists, (whether priests, Jesuits or others) in the science of tyranny.* Lastly, from this account, we are enabled to form some notion of the state of Scotland at a time when the parliament of that kingdom was called to set an example for this; and we find it to have been a *state of more absolute slavery, than at that time subsisted in any part of Christendom.*”\* Whoever, says Hallam, looks at the conduct of his first parliament, “their large grant of a permanent revenue, to the annual amount of two millions, rendering a frugal prince in time of peace out of all dependence on his people” &c. &c. ; “their supply of £700,000, after the suppression of Monmouth’s rebellion, for a standing army, will be inclined to believe, *that, had James been as zealous for the Church of England, as his father, he would have succeeded in establishing a power so nearly despotic, that neither the privileges of parliament, nor much less those of private men, would have stood in his way.*”† In short, his “true Protestant” subjects, are universally acknowledged to have been the most pliant tools of despotism he could have selected. They declared his royal word a better security for their religion and liberties, than any which the law could devise;‡ and so long as he did not interfere with the Church, would have been only delighted to clothe him with the most absolute civil authority.§ In fine, the best possible defence of the Catholic party under him, is the fact, that all the grievances complained of in the Declaration of Rights were, and had been, Protestant practices, and that they had been all without a single exception originated, promoted, and carried into execution by Protestants.

But, omitting all other considerations, and granting that James really was guilty of some transgression against the laws and liberties of England as understood by Protestants—that the resistance to him was not caused solely by his thwarting the religious prejudices of the nation—and that, in short, the Revolution was something more respectable than the successful ebullition of those opinions and pretences, which we have witnessed in our own days, as to the toleration of Catholics being a violation of the constitution deserving to be punished with the forfeiture of the throne—granting that William was

\* Id. 125.

† Const. Hist. vol. ii. 396, and note as to reasons why he represents the 700,000*l.* as being offered for the support of a standing army.

‡ Fox, 78.

§ Id. 154-5, &c.

influenced by some more “glorious, pious,” and laudable object than that of making himself king of England, and England a cat’s paw in the war against France—that the Whigs were actuated by the most exalted and disinterested motives, and entirely free from any taint of personal ambition—and that the Tories had no other desire than to assert and secure the rights and liberties of the people—let us see whether the mode in which they proceeded was worthy of the eulogies and admiration so lavishly bestowed on them.

The Commons resolve, on the 28th of January, “That King James the Second, having endeavoured to subvert the constitution of the kingdom, by breaking the original contract between king and people, and, by the advice of jesuits and other wicked persons, having violated the fundamental laws, and having withdrawn himself out of this kingdom, has abdicated the government, and that the throne is thereby vacant;” and on the following day, “That it has been found by experience to be inconsistent with the safety and welfare of the Protestant religion, to be governed by a Popish prince.”\* These are sent up to the Lords, who agree, of course, to the latter without any delay; but, in a house of ninety-nine, agree only by a majority of seven, that there was an original contract between king and people, or, in other words, that the king had not a divine right to the throne. They and the Commons squabble for four or five days on the question whether the king had *deserted* or *abdicated* the government; they resolve, by a majority of eleven,† that, though James had committed all the aforesaid offences, the throne was not vacant; the squabble proceeds; and it is only on the 6th of February, and after William had exercised a proper degree of influence, that they agree by a majority of four to the resolution as first presented by the Commons. The crown is then settled on William and Mary, the offer of it being preceded by the Declaration of Rights. The former is accepted; of the latter “our glorious deliverer” takes not the slightest notice. The regal dignity being thus disposed of, the convention voted themselves to be a parliament.

Protestants look on this affair as sufficient to counterbalance all their past and present devotion to despotism. We readily admit, that as a Protestant sort of re-assertion of the first rights of mankind, it is well enough; but we defy all the calumniators of Popery to point out any such specimen of shuf-

\* *Lords’ Journ.* 110.

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† In a house of 99.

fling, quibbling, and fiction, in the history of the whole Catholic world. It was decided by a majority of seven that James had not a divine right. If he did violate the compact between king and people, and the fundamental laws, why not state what they were, or why resort to the fiction—the gross, palpable, unbelievable fiction—that he abdicated the government? Why condescend to put such a falsehood on record? Is it not a legislative admission of what is notorious without it, that had James the sense or courage to remain in the kingdom, he could not, under Protestant principles, be deposed, whatever might be his transgressions? But the paltry, contemptible character of the entire proceeding is too self-evident to all but those educated in the slavish doctrines of the Established Church to require further comment.

Mr. Hallam says that in the “revolution of 1399 there was as remarkable an attention shown to the formalities of the constitution, allowance made for the men and the times, as in that of 1688.”\* How very kind and considerate! Never was a suit at law determined with a more scrupulous regard to even technical niceties of form and expression, than the deposition of Richard II. The men of that day merely did what they knew they had an unquestioned right to do, and in the manner which had been accustomed from time immemorial; and met, as it were by anticipation, all the objections urged by Tory lawyers against the Convention. With them you find no shuffling, no quibbling, no fiction. The writs for the assembling of the parliament issued in Richard’s own name; but, as the day before the members assembled in form, he signed a document renouncing all claim and title to royal power and dignity, releasing his subjects from their allegiance, and confessing his own incompetence to govern them, and the propriety of deposing him for his notorious demerits,† they assumed not the title of a parliament, but that of states of the realm,‡ and allowed as many people as could get into Westminster Hall to take part in the proceedings with them. Richard’s renunciation being read before the Lords, “*and the people of the said kingdom assembled then and there in a very great multitude,*”§ “all the states and people there present were asked if they wished to admit it for their own interest

\* *Mid. Ages*, vol. ii. 289.

† “*Propter mea demerita notoria non immerito deponendum.*”—R. P. I Hen. 4, 417. ‡ *Id. 415-422, &c.*

§ “*Populoque dicti regni tunc ibidem propter factum parlamenti in maxima multitudine congregato.*”—Ib.

and the profit of the kingdom ;” and each separately, and in common with the people, unanimously and cordially admitted it.\* They next, “for the purpose of removing all scruple and sinister suspicion,”† set forth in thirty-three articles the various crimes of which he had been guilty, stating the mode and time and place of the commission of each—and, above all, opening with his coronation oath—that was their “original contract.” The articles having been read, and the charges having been deemed notorious, and sufficient to authorise his deposition, regard being had also to his renunciation and confession, they agree unanimously that they ought, “ex abundanti et ad cautelam,”‡ to proceed to his deposition in due form, and then publicly appoint seven commissioners to carry the sentence of deposition into execution, AS IN LIKE CASES HAD BEEN OBSERVED BY THE ANCIENT CUSTOM OF THE REALM:§ This having been done, “as soon as it was MANIFEST that the kingdom of England was VACANT,”|| Henry of Lancaster made his claim to it; and all the states being severally and collectively asked what they thought of such claim agreed, together with the entire people, without any difficulty or delay, that he should reign over them.¶ Henry was then made king in due form; and—instead of the states voting themselves to be a parliament—he issued new writs, and made proclamation for the assembling of a new parliament.\*\* The contrast does not end here. These men committed no perjury; they had never taken an oath of unqualified, uncondi-

\* “ Status iidem et populus reputantes &c. &c. renunciationem et cessionem hujusmodi singuli singillatim et in communi cum populo unanimiter et concorditer admiserunt.”—Ib. b.

† “ Pro omni scrupulo et sinistra suspicione tollendis.”—Ib.

‡ Id. 422, a, b.

§ “ Prout in casibus consimilibus de antiqua consuetudine dicti regni fuerat observatum.”—Ib.

|| “ Et confessim ut constabat ex præmissis et eorum occasione regnum Angliae cum pertinis suis vacare.”—Ib.

¶ “ Iidem status cum toto populo absque quacunque difficultate vel mora ut dux præfatus super eos regnaret unanimiter consenserunt.” Id. 423.

\*\* Mr. Hallam concludes that as there was only an interval of six days allowed for the meeting of the new parliament, and the same members appeared under both writs, there was not a second election. But if they could dispense with the ceremony of a re-election, they might have dispensed with that of issuing new writs. This is a matter which can be satisfactorily settled only by an intimate knowledge of the rate at which couriers travelled in those times. The shortest time for assembling was, we believe, eleven days. Members of parliament in their accounts with their constituents, fixed their average day's journey at from thirty to forty miles. (Mid. Ages, vol. ii. p. 323.) See the protestation in the rolls on the part of Henry, that the above “abbreviation” of the time of summons was not intended to prejudice the states for which the parliament came, &c. &c.

tional allegiance; they had never made an affidavit against the lawfulness of resisting oppression. On the contrary, the Lords and Commons, ten years previously, had compelled Richard to take his coronation oath a second time, they themselves merely swearing to support the judgments, ordinances, and statutes passed in that parliament, and the ancient good laws and customs of the realm.\*

When Mr. Hallam thinks that allowance must be made for those men and their times, before they can be compared with the pensioners of the Convention, what would any other Protestant writer say of them?

But whatever be the opinion as to the mode in which the Convention acted in settling the crown on the Deliverer, yet when they made themselves a Parliament, they established some imperishable titles to the gratitude of Englishmen—by the Bill of Rights, for instance. Look at that document—first of all recollecting, that not one of the abuses which it purports to condemn was known before the Reformation—and say, could we have desired any better illustration of the real tendencies of Protestantism? See how vague and indefinite are the declarations about obvious rights and palpable abuses. It would seem as if they feared and hated liberty, and wished to mask their feelings under the specious unmeaning phraseology which they were compelled to employ, in order to make some show of justification for the commotion they had excited. So much eulogy has been passed upon this document, that we may as well lay it before our readers. It declares, that the pretended power of suspending and dispensing with laws (the latter “as assumed and exercised of late”) “the levying money by pretence of prerogative,” “the raising or keeping a standing army in time of peace without consent of parliament,” the “commission for erecting the late court of commissioners for ecclesiastical causes, and all other courts and commissions of like nature,” and “all grants and promises of fines and forfeitures of particular persons before conviction,” are illegal: “that it is the subject's right to petition the king, and all commitments and prosecution for such petitioning are illegal;” “that the subjects which are Protestants may have arms for their defence suitable to their condition, and as allowed by law;” that “election of members of parliament ought to be free;” that “proceedings in parliament ought not to be questioned out of parliament;” “that ex-

cessive bail ought not to be required, nor excessive fines imposed, nor cruel or unusual punishments inflicted ; that jurors ought to be duly impanelled and returned, and jurors which pass upon men in trials for high-treason ought to be free-holders ;" "and that for redress of grievances, &c. &c., parliaments ought to be held frequently." Did this add one single security to popular liberty beyond what was enjoyed prior to the Reformation ? Will any lawyer or statesman say so ? See how they frittered away the ancient fundamental principle of the constitution as to annual sessions of Parliament, by the clause that " Parliaments ought to be held FREQUENTLY." How expressive ! How illustrative of the men of the "disenthralment and impulse !" From the time of Alfred it had been the law and custom to summon the great council of the nation once a-year at least, for the redress of grievances, making and amending the laws, and providing against all sorts of danger. Since the regular institution of the Commons<sup>as a separate house to the Reformation there had been</sup> three statutes passed, providing that Parliaments should be held once a-year, "or more often if need be."<sup>\*</sup> The triennial bill, wrested from Charles I, had been repealed, when, after the Restoration, the doctrines of the Church of England recovered the ascendant. Now an opportunity of guarding against long parliaments and corruption, or even the dispensing with parliaments altogether, was afforded ; but the genius of Protestantism prevailed ; and if we have since had annual sessions, we owe them to the accident of the immense permanent revenue granted to William not being sufficient to meet the expenses of the wars in which he at once plunged the kingdom.<sup>†</sup> Up to the Reformation, for each session there was a fresh election. Since even this "glorious revolution," the "true Protestant" doctrine has been, that a parliament once met is entitled to sit during the life of the sovereign that summons it. Such was the law and custom in this country up to the year 1768, when the octennial bill was reluctantly conceded.<sup>‡</sup> In England the triennial bill<sup>§</sup> was extorted from William's ministry by the Tory and country party, "by ex-

\* 4 Edw. 3, c. 14. By the 5 Edw. 2, c. 29, "the king shall hold a parliament once in the year, or twice if need be. By 36 Edw. 3, c. 10, "For maintenance of the said articles and statutes, and redress of divers mischiefs and grievances which daily happen, a parliament shall be holden once every year as another time was ordained by statute."

† Bolingbroke's Diss. 163.

§ 6 & 7 W. & M. c. 2.

‡ See Plowd. vol. i. 388.

press bargain as the price of the supply ;\* but so detrimental to the constitution did the Whigs—the only true and acknowledged Protestant guardians of popular liberty—feel this to be, that at the first feasible opportunity they repealed it, and fixed the duration of parliament at what was commonly considered the average duration of human life. If, then, the “constitutional” doctrine has not been carried into practice up to the present moment, we owe it not to the Bill of Rights, or to any Protestant regard for popular liberty—for no one accuses the Tories of any such unscriptural predilection—but to a compromise between those rival factions, with a view solely to the best mode of conducting their contests for their own private interests.

But why need we pursue this theme ? Is there a doubt as to the tendency of the supporters of the Established Church from that period to the present ? When and where have they shown any attachment to popular liberty ? Has not that Church maintained to the present moment her original character of hostility to all free and liberal institutions ? Is she not the great enemy of the people’s rights ?—and are not her friends invariably the antagonists of the people ? Can any wild rhodomontade persuade us that she is the friend of freedom ? We beg of our readers, when they hear any one lauding her devotion to civil liberty, to ask for some distinct palpable proofs ; not to be satisfied with the philosophical declamation to which, in the absence of facts—or rather in the teeth of all history—her advocates are driven as their last resort ; and, if possible, to cross-examine those gentry as to certain trifling historical incidents, of which they are sure to be oblivious. For instance, after hearing a long vapid oration about those best possible specimens of “true Protestant” lovers of liberty—the Old Whigs—let them ask, are these the worthy gang who for half a century held the government of these kingdoms in their hands, and with liberty and the people continually on their lips, never passed a law for the promotion or protection of either, but did all they could to crush the one and degrade the other, and of whom it was truly said that in their boastful search after liberty, they reminded one strongly of—Herod in search of the Innocents ? After hearing a similar oration on those colonists of freedom, the Irish Cromwellian Protestants, let them ask, are these the dregs, and saints, and sweepings of all England, who, after having

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\* See Ralph, vol. ii. 409-10, 534-5.

canted, robbed, and murdered during a regular apprenticeship, in “the good old cause” of rebellion and regicide, like genuine Protestant Esaus, sold the inheritance of a parliamentary constitution for the Act of Settlement “mess of pottage,” and from the time of their being again allowed, after the Revolution,\* to assemble, until the Union, proved themselves such samples of gospel light, liberty, and godliness, as we hope will never again disgrace human nature? Queries of this kind may be multiplied to any number—for, in fact, the history of “true Protestantism” is the history of slaves and slavery. The facts are plain, and palpable, and obvious to every one; but such has been the success of this system in deluding the world with the notion of its “disenthralling” and “impelling” qualities, that men—and especially *philosophers*—have tortured their fancies to assign to some other cause those events which, if they had made use of their common-sense only, they would have seen, were the genuine and inevitable results of “the true Protestant Church.” The circumstance also of the Parliament having been preserved while similar assemblies had been long superseded on the Continent, aided the delusion, most persons supposing that this preservation was owing solely to the influence of the Establishment; whereas it was in spite of that Church, and in consequence of the love of freedom ingrafted in the hearts of Englishmen by centuries of Popish tuition, that such an unscriptural nuisance was continued. But was that Parliament anything more than the vampire phantom of that which, before the Reformation, made the English people the first among the nations in glory, freedom, justice, and happiness? Did it render the monarch less absolute? Was there a contemporary monarch in Europe out of Russia and Turkey, less absolute in matters where juries could not interfere than either of the two last Georges? If they did not indulge in what Mr. Hallam appropriately styles the lunacy of despotism, neither did their continental contemporaries; and to the respective subjects of either it made little difference whether it was by parliamentary or military mercenaries that their royal whims were carried into execution. When the people of England awoke from the trance into which the drugs and devices of the Establishment had thrown them for centuries, they saw how slight was the real difference between them and their neighbours; they became conscious by degrees of the extent to which they had been

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\* They had not met since 1656.

enslaved and plundered ; insisted on some reparation ; threatened rebellion, rather than remain longer in the thraldom to which they had been reduced ; succeeded, through the aid of Irish papistry, in obtaining some improvement of their condition, are still struggling for further improvement, and will, we humbly hope, never relax in their efforts till they are restored to that political influence in the state which they possessed before the Reformation.

The consciousness of having trespassed too much already on the patience of our readers, compels us to omit innumerable illustrations of the tendencies of "the true Protestant Church," which it would require some philosophical ingenuity to explain away satisfactorily. We therefore must simply beg of our readers to recollect that the history of England from the Reformation to the middle of the last century, and of Irish Orangeism to within the last few years, is the history of the genuine, unadulterated, pure, and undefiled working of "the true Protestant Church;" — that all the atrocities, all the desecrations which it records, of those principles of truth, and right, and equity, that are regarded with veneration even among the untutored children of nature, had the support and sanction of that establishment, and were considered by it and its friends essential to its salvation ; — that it is only since "dissent, and Popery, and infidelity have been stalking stark naked through the land, seeking whom they may devour," that the administration of justice has been improved, and public men have affected the slightest regard for what are commonly called public virtues — that those of whom the nation is proudest were by no means the idols of the Establishment, or believers in its infallibility — that up to the present moment its greatest friends are the patrons of all manner of corruptions and abuses — that it has ever been the chief agent in crushing, degrading, and libelling the people, and in robbing them of all their ancient privileges — that it still continues the chief agent in opposing all their attempts at improvement — that, in short, in every quarter of the globe where it has been able to rear its head, it is invariably found leagued with the enemies of the first and dearest rights of mankind — and then conclude that it is the only cradle and ægis of human liberty — the only palladium of the British constitution.

But whatever Protestants have been, or whatever Catholics were before the Reformation, since that event these have been as devoted to arbitrary power as the most "enlightened" of their opponents. When, where, and how have

they proved this devotion? The principal charge against Mary was on the score of religious persecution. She did not attempt to set up a despotism or rule without Parliament, or make it a cipher. When a "disenthraling" fellow, "that had been Cromwell's servant, and much employed by him in the suppression of monasteries," wrote a book to show how she might raise herself above all law, "and rule according to her pleasure," and caused it to be delivered to her through the Spanish ambassador, she, poor benighted creature, utterly ignorant of the gospel rights of princes, "disliked it, and judged it contrary to the oath she had made at her coronation,"\* but gave it to Gardiner, and begged of him to state his honest opinion of it; who, after reading it, declared it a pity "that so noble and virtuous a lady should be endangered with the pernicious devices of such lewd and subtle sycophants, for the book is naught, and most horrible to be thought on."† The noble, wise, excellent, and "well-worthy-of-observation" provisions, whereby the laws and customs of England, and the rights and privileges of the subjects, were secured from danger, and Spaniards and other foreigners were forbidden to be appointed to any offices in these kingdoms, by the statute settling her marriage with Philip, extort eulogy from Coke.‡ That these provisions were owing "almost wholly" to Gardiner, is acknowledged by Burnet, who says he adopted them in consequence of the preceding incident, lest the queen should by any chance, after her marriage with Philip, fall into such designs against the liberties of the people. Of what Protestant bishop can such a tale be told? "The singular and wonderful liberty" of the people, and their freedom from taxation, under Mary, are the theme of admiration with even the Venetian ambassador.§ The Catholics supported Charles I against his opponents. Will that be a charge against them by the Church of England? But whom else could they join? Were they to throw themselves at the feet of the men who, "for the honour and glory of the Lord," would butcher, pauperise, and enslave them? They had not been taught so to disregard the first rights of human nature as to submit to voluntary servitude on any terms, even though their own enthralment might serve as a decoy to secure the enthralment of others. Such feats of Helot heroism they left to the disciples of "enlightenment."|| Did the Catholic Parliament in this coun-

\* Burnet, ii. 559.

† Ib.

‡ 3 Inst. 225.

§ Lingard, vol. vii. 245, note.

|| See the conduct of the Dissenters as to the passing of the Test and Corporation Act. 25 Ch. 2, c. 2.

try under James II, imitate his Protestant Parliaments in Scotland and England? By one of their statutes they deprived him of even the power of pardoning; and his own attorney-general, Sir Richard Nagle, refused to pass a warrant of his for a pardon, contrary to the statute, telling him plainly to his face, it was not in his power to grant one. How unlike a "true Protestant" dispensing prerogative lawyer! By another act they did that very thing which ninety years afterwards acquired such glory for the Protestants, and compensated in some slight degree for their preceding devotion to thralldom—they declared that the Parliaments of England could not bind Ireland, and provided that no writs of error should be sued in that country, the preamble containing the very same principle afterwards relied on in 1782, that though the Irish people were not represented in those parliaments, yet "of late times some have pretended" that their acts were binding on Ireland; "and as those late opinions are against justice and natural equity, so they tend to the great oppression of the people here, and to the overthrow of the fundamental constitution of this realm,"\* &c. &c. Yet it required ninety years' experience and "enlightenment," the example and excitement of the American revolution, and the convincing arguments and fiery eloquence of a man, (whose very name, by-the-by, was presumptive evidence of his being only a professional believer in the Thirty-nine Articles), to inculcate this first principle of human right and the British constitution on the Protestants of this kingdom. It was because our Catholic fathers could not be bribed or bullied into betraying the rights and interests of their country, that those illustrious specimens of Protestantism—the old Whigs—contrived by a manœuvre to rob them of the franchise. In short, it was by an Irish majority the slave-trade was abolished, and the Reform Bill carried; it is by an Irish majority the friends of popular privileges are now kept in office; and by such a majority will the people of England finally recover all those ancient rights, of which the "disenthraling and impelling enlightenment" has robbed them.

Why, then, charge papists with devotion to arbitrary power? Why charge them with the great fire of London?

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\* See "An Account of the Transactions of the late King James in Ireland." London: 1690.

**ART. II.—*Histoire du Pape Pie VII.*** Par M. Le Chevalier Artaud, ancien Chargé-d'Affaires de France à Rome, à Florence, et à Vienne, de l'Academie des Inscriptions et Belles Lettres, &c. &c. &c. 8vo. Deuxième Edition. Paris: 1837.

IT is not easy to account for the apparent indifference with which the history of Pius VII has been regarded in these countries. Nearly twenty years have been permitted to elapse since the close of his long and interesting reign, without a single permanent record in the Catholic literature of England. It is true, that the exigencies of our literary position have left but little leisure from duties of absolute necessity; but it is almost incredible, notwithstanding, that, in a country for which it possesses a peculiar interest, not even a single volume should have been spared, to a period the most eventful, perhaps, since the early struggles of Christianity—a period of alternate triumph and humiliation for the Church—crowding together within its chequered history, incidents of the most opposite character, and events which by their nature might almost seem whole centuries asunder.

Never were the prospects of religion on the continent more gloomy and, to speak humanly, more desperate, than in the years which immediately preceded the pontificate of Pius VII. The hurricane, which desolated the social world, seemed to have spent but little of its fury; the gore was yet fresh on the crimsoned floors of the Carmelites; the shattered altar and desecrated temple, still told that Impiety had firmly enthroned herself where the holy place once stood. The national councils of France heard, without a murmur, save, perhaps, of applause, open professions of the atheistio creed,\*—scornful disavowals of any “God save Nature;” faith became all but synonymous with imbecility; the name of Christian was a bye-word of reproach; the last trace of Christian history was blotted from the annals of France; and the silly dates of an anti-social republic, had usurped the place of the blessed era of the world’s redemption!

And it would seem as if this monstrous state of things had begun to acquire permanence and consistency. The earlier impieties of the revolution might be regarded as a passing frenzy, whose very violence must produce a certain and speedy re-action. But the unholy spectres, whose gambols had then

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\* Dec. 14, 1792, and again Nov. 14, 1793.

appalled the world, now seemed to assume a form equally revolting, but less vague and undefined. Infidelity took upon herself the guise of religion. The churches of St. Généviève and Notre Dame were profaned by her service; and the miscalled rites of *L'Etre Suprême* proclaimed, more significantly than even atheism itself, the hopeless corruption of all true worship. How were the glories of the "eldest daughter of the Church" humbled in the dust, when, in the face of once Catholic France, a solemn decree of the convention declared, that "the French people acknowledged the existence of a Supreme Being, and the immortality of the soul?"\* It was, indeed, an awful period; fearfully were men "become vain in their thoughts, and their foolish heart darkened," when even this mockery of religion was among the causes which brought its proposer, Robespierre, to the scaffold!

The "Reign of Terror" had passed in name; but its influence on religion still subsisted. The respite of which the commencement of 1795 had given hopes, was but the lull of the storm, gathering strength for a new outburst. The decrees of 1792 and 1793 were soon revived; and when, in the following year, men began once more, in very satiety, to sicken of these enormities, the fatal 18th Fructidor (Sept. 4), by restoring the power of the Directory, renewed the same bloody scenes. They were now extended to the Low Countries; and in the proscriptions of the Isle de Rhé, the world witnessed a rehearsal of the horrors which had desolated France in the first years of the revolution. The nominal toleration of religion only rendered its subjugation more complete. The constitutional Church of France was among the worst of its scandals; its bastard hierarchy and cringing priesthood were despised by the people, whom they had the baseness to betray. On the 7th and following days of November, 1793, twenty-seven of these wretched men laid down, in the presence of the National Assembly, the insignia of the office which they affected to despise; rejected the cross and ring as consecrated baubles, unworthy a citizen or a philosopher. The scandals from within lent double energy to the assaults from without; infidelity spoke aloud, and with impunity. And what wonder? The sentinel had fled from his post, or held back in crouching silence; and thus the writings of the earlier school were piety and innocence itself, when contrasted with those which ap-

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\* On the motion of Robespierre, May 7, 1794.

peared under the rule of the Convention and the Directory. Dupuis' *Origine des Cultes*, Naigeon's *Dictionnaire de Philosophie Ancienne et Moderne*,—worthy fruit of that mind which gloated over the savage wish to “see the last of kings strangled with the entrails of the last of priests,”\*—these, and a host of similar publications, were scattered among the people. Poetry was called in to the aid of philosophy, and Parny's horrible poem, *Guerre des Dieux Anciens et Modernes*, undermined by ridicule what was attacked by Maréchal and La Lande, in the ponderous sophisms of the *Dictionnaire des Athées*.

Nor was this revolting state of things confined to France: the successful arms of the republic had carried its principles everywhere in their train.

“France got drunk with blood to vomit crime,  
And fatal have her Saturnalia been  
To Freedom's cause, in every age and clime.”

Unhappily, many of the cities of Italy were but too well prepared to receive, at least in part, these pernicious principles. The anti-papal policy of Joseph II, had crowded the universities of Austrian-Italy with enemies of the legitimate authority of the holy see. The opinions of Tamburini and of Zola, led, by a transition at all times easy, but in a period of anarchy almost inevitable, to a contempt of all ecclesiastical authority, but too well evinced in the subsequent conduct of those who were most distinguished in the controversy. The most zealous upholders of the imperial usurpation, now, with few exceptions, countenanced, by their silence, if they did not openly approve, the proceedings of the irreligious party. Tamburini wrote in favour of the revolution; and, in common with Zola, was deemed worthy the scarcely equivocal honour of a place in the *Collegio dei Dotti*; while Solari, the most active opponent of the bull *Autorem Fidei*, was actually appointed a member of the revolutionary government. The Tuscan states, under archduke Leopold, had been deeply infected with the same contagion, through the influence of Scipio Ricci, the well-known innovator of Pistoia; nor, however anxiously Leopold, now relieved from the domination of Joseph, desired it, had the deposition of this discontented man succeeded in removing the

\* Thus versified by Diderot,—

“Et ses mains ourdiraient les entrailles du prêtre  
A défaut d'un cordon pour étrangler les rois.”

See the passage of Naigeon in Picot's “*Mémoires du XVIII<sup>e</sup> siècle*,” tom. iv. 648-9.

effect of the patronage bestowed on him in the commencement of his career. The condition of Naples was, perhaps, now worse than that of Tuscany. The unholy war which Ferdinand, or rather the regent, Tanucci, and his ministers, had so long maintained against the see of Rome, had already recoiled upon themselves. Ecclesiastical disobedience led, by a natural course, to social insubordination ; and Ferdinand, in an inglorious exile, was paying the penalty of the fatal policy which he had suffered his ministers to pursue. The prospects of the Church in Austria were scarcely less louring. The system pursued by Joseph, in undermining the pontifical jurisdiction, had gone far to exile all religion from his states. The decree of the four archbishops at Ems, is a startling monument of the spirit of the time.\* The abolition of the papal institution of bishops, was but a step removed from the republican forms of their election, ordained by the civil constitution in France ; nor was it easy for the simple faithful to draw the line between the overthrow of the nunciatures, and the utter denial of the primacy, and renunciation of communion with the holy see. Germany and Prussia were filled with the same spirit, still somewhat disguised, which had taken a form upon itself in France. Belgium, sternly as she resisted the attempts of Joseph to force his favourite opinions upon her, nevertheless had scarcely come forth scatheless from the struggle ; and even Spain, removed by position, as well as by interest, from the scene of the contest, had not altogether escaped its withering influence.

Such, as far as human eye could reach, was the internal condition of the Church throughout Europe. From without, every thing was calculated to lend power to these evil influences. The greater part of Italy was in the hands, or under the direction, of the French republic, and all in a state every way favourable to the progress of their views ; Lombardy involved in the anarchy consequent upon its recent dismemberment ; Naples in open revolution ; the Legations, Bologna, Ferrara, and Romagna, severed from the holy see ; Benevento and Ponte Corvo filled with the licentious soldiery of France ; there needed only, in order to complete the work, that Rome herself should be the seat and centre, in which all the operations of the enemies of religion were organized and arranged !

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\* See this extraordinary document in a work on the state of the Catholics in Germany, " Die neuesten Grundsagen der Kathol Kirchen-verfassungs-wesen," pp. 216-32 ; see also Cardinal Pacca's " Memorie storiche sul di lui soggiorno in Germania," for a minute history of the period.

Every human obstacle to success was withdrawn ; every hold of religion on the minds of the people torn asunder ; the pontiff a captive in an obscure exile ; the cardinals scattered throughout Europe ; the ecclesiastical courts suspended ; churches and convents plundered and suppressed ; the citadel of the Church would seem left without a single watchman, a defenceless prey to the spoiler ! The prisons were flung open ; the apostles of impiety and sedition wrested from the just vengeance of the law, and were in many instances thrust into the most influential places in the new government ; and it is scarcely necessary to add, that when to the zeal of the new cause was joined the rancorous remembrance of the merited severity of the old, the labour of proselytism was industriously performed.

But, crushed and humiliated as she appeared to human eye, at the accession of Pius VII, the principle of Divine vitality was not yet extinct within her. How different her condition when, twenty-three years afterwards, the sacred college was once more called together for the election of his successor ! How many changes, what a complete resuscitation, had the interval witnessed. How full of interest even the minutest events of its history ; the causes by which this counter-revolution was accomplished, by which religion was re-established in the possession of her legitimate authority, and the social system, so long infected to its core, restored to a natural and healthy tone ! History, whether sacred or profane, presents not, within its vast extent, a period so pregnant with great events as that which falls to the historian of Pius VII—an office yet vacant in English literature.\*

On the continent the interest of the subject has been better appreciated. As far back as 1815, a detached history, in two volumes, of the early years of the pontificate of Pius was published at Venice ; and in 1825 a complete life appeared at Rome. A few years later the venerable Cardinal Pacca gave his memoir of the time during which he held the office of secretary of state ;—a work of the deepest interest, which has been translated into almost every language but our own. Nor have the French been less active than their brethren of Italy. Picot's admirable memoirs of the eighteenth century comprise the most important years of his reign (1800-15). A collection of his correspondence with Napoleon was published at Paris in 1814 ; Beauchamp's *Malheurs et Captivité de Pie VII*,

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\* We have heard that an English life of Pius VII is at present in preparation.

passed through two editions in the following year; and De Pradt's *Quatre Concordats*, and Schön's *Contestations qui ont eu lieu entre Napoleon et le Saint Siège*, are but a few of the partial histories which appeared in France before the death of the pope. The years 1824 and 1825 produced the complete life by Simon—a short but interesting memoir; and that of Gaudet, *Esquisses Historiques et Politiques de Pie VII*. We may judge, too, how new the interest still continues, from the fact that besides having passed through repeated editions at Paris and Louvaine, Chevalier Artaud's work was, within a year from its publication, translated both into Italian and German.

The circumstances in which Chevalier Artaud was placed were peculiarly favourable to the composition of his history. On two different occasions, both of great interest, he resided for several years as French secretary of legation at Rome. During his first residence, enjoying the full confidence of his principal, M. Cacault, and living on the best understanding with the officials of the Roman court, he possessed opportunities beyond all his rival biographers (for the cardinal-secretary can scarcely be deemed such); and it is impossible not to feel that he has used them with great judgment and impartiality. The plain and unpretending style, the tone of simple sincerity which runs through the narrative, and the absence of that affectation of sentiment which so often nauseates in French biography, wins the confidence of the reader insensibly and without an effort. It is rich in official documents, many of them hitherto inedited; and so skilfully are they interwoven into the train of the narrative, that, while the life, on the one hand, possesses all the authority, it is free, on the other, from the almost unavoidable dulness of a purely documentary history.

We have not been able, nevertheless, to bring ourselves to feel that Chevalier Artaud has done full justice to his noble subject. We fear he is somewhat too much a diplomatist to be a very philosophical historian. As a political history of Pius nothing could be better: but we are disposed to regard it as very little more. Not that it is wanting in ecclesiastical details; but they are treated too much in the tone of a politician; there is a smack of diplomacy upon them all. He dwells with far more of evident complacency on the negotiations of the concordat than the history of its working in France. He gives whole chapters to matters of little general interest; to the minutest changes in the ambassadorial de-

partments, even down to the gold boxes presented to the officials after each negociation ; while he passes over the council of Paris, in 1810, with scarcely a page of notice ! He is never so completely at home as amid powers and credentials, waxing eloquent at the very name of a protocol or a dispatch ; he betrays far more of indignant sympathy for the “ insult offered to a great nation ” by the arrest of the plenipotentiary Chevalier Vargas, or the exile of M. de Verneuges, than for the imprisonment and dispersion of the whole sacred college ; and, with all his evident admiration of the saintly pontiff, it is often difficult to avoid suspecting, that in his heart he regards Cardinal Consalvi as the greater man.

In saying so much, however, of M. Artaud's work, let us not be understood to speak lightly of its very great merits ; we seek rather to explain to what class of biography it belongs. He has written the life of Pius according to his own lights ; as such his work is perfect in its kind, and although for the student of general history he has left something still to be desired, he has also accomplished a great deal ; far more, and in a much more agreeable manner, than any of his predecessors.

In the period which had been already treated by Cardinal Pacca, Chevalier Artaud has wisely followed, with little deviation, the footsteps of his venerable predecessor. But from his official position, he has had the good fortune to fill up a gap in the authentic history of the earlier part of the pontificate. During the long and complicated negociations of the concordat of 1801, and from the first dawn of dissatisfaction down through the long series of remonstrance against the *Articles Organiques*, he was confidential secretary at Rome. In the more tedious, and scarcely less entangled, discussions of the concordat of 1817 he enjoyed the same opportunities ; and the kindly feeling which subsisted between the Papal court and the French embassy on both occasions, increased the facilities of obtaining accurate information, incidental, under any circumstances, to his position.

In bringing these interesting volumes before our readers at this eleventh hour, we owe them an apology for our too tardy notice. It would appear, however, that, even still, they are comparatively unknown in this country. But, attractive as is the subject, we must confine ourselves to a brief analysis of Chevalier Artaud's narrative ; drawing, however, without scruple, upon various other sources of information.

The arms of the republic, under Napoleon, had been crowned in Italy with complete success. The rapid campaign

of 1796, extorted from Pius VI a harsh and unequal truce. In 1797, he was compelled by the treaty of Tolentino to cede Avignon and the three legations absolutely and for ever; and to give up possession of Ancona till the end of the war. In the December of the same year, the death of Duphot at Rome, in an affray provoked by his own culpable rashness, and, as Artaud clearly proves (i. p. 54), fomented by French influence, furnished the pretence long sought by the Directory. Berthier was ordered to march on Rome: he encamped on Monte Mario, the position selected three centuries before by the more honourable invader Bourbon, and took possession of Rome in open violation of the treaty of Tolentino. February 15th, 1798, the republic was proclaimed at Rome. The reckless daring of the Directory was at its height; unhappy Pius was rudely seized. He was told, in mockery of his former visit to Vienna, that he should have an opportunity of "indulging his taste for travel." In vain his indignant protestation against this unheard-of violence! in vain alike his touching prayer to be left to die in peace in the city of his predecessors! "*Vous mourrez partout,*" was the harsh reply! He was forced to assume a secular dress, in order to conceal his sacred character, and in the darkness of a tempestuous morning hurried off, at four A.M., from the city which he was never more to see. He was dragged to Siena, afterwards to the now celebrated *Certosa* (Carthusian convent), near Florence: thence he was removed to Grenoble, and ultimately to Valence, where, worn out by age and suffering, he died, August 29, 1799, in the eighty-first year of his age, and the twenty-fifth of his pontificate—the longest since the days of St. Peter.

The condition of the Church, thus widowed by his death, was almost without a precedent in her history. The supreme pontiff consigned to an unhonoured grave in a remote exile; the electors of the sacred college scattered throughout the most distant countries of Europe; the holy city itself in the hands of a hostile and anti-Christian republic—it might almost seem as though, in punishment of her prevarications, the promises of Christ to his Church had been forgotten, or suffered to fall into a temporary abeyance: nor can we fail to recognise the finger of Providence in the chain of events by which religion was raised from this prostrate condition. "Amid so many tempests and wars," writes the eloquent Picot, "who would have conceived it possible to proceed to the election of a successor? But the providence of God, by a signal interposition, came to the assistance of his humiliated Church;

making political events subserve the triumph of religion, and using the revolution of empires for the accomplishment of his designs. Italy, within a brief space, had seen great changes wrought within her. While she was entirely under the rule of the French, all at once the whole face of affairs was reversed; a league formed by the great continental powers arrested the ambitious progress of the Directory. The emperor of Germany, supported by a Russian army, recovered the Milanese, the Venetian territory, and the entire north of Italy; the ephemeral republics disappeared; the university of Pavia, which was charged with fomenting heterodoxies in politics as well as religion, was suppressed; Rome was once more wrested from the yoke. The English and Neapolitan troops attacked the French garrison, and forced them to a capitulation. At the same moment the Turks took possession of Ancona. Can it be disguised that, in the views of Providence, the union of so many powers was destined to bring about the deliverance of the Church, and the election of the sovereign pontiff? In days of old He had called together the barbarian hordes of the north to chastise pagan Rome. In our days He assembles, for the deliverance of Christian Rome, twenty nations — themselves amazed at their union — and guides their steps to Italy at the very moment when the successor of St. Peter is sinking under the weight of his infirmities and sufferings!"\*

This happy and unexpected revolution enabled the sacred college to proceed to the election of a new pope. Mutilated in its members, and dispersed, not only through the cities of Italy, but even the most distant parts of Europe, this meeting was attended with no little difficulty. By the treaty of Campo Formio, Venice had fallen into the hands of Austria; and it was considered a more fitting place of meeting than Rome, which, but a few days before, had been the theatre of war, and still held tranquillity by a precarious and uncertain tenure. The number of cardinals was forty-six. Of these eleven were prevented by sickness and other causes from attending; and the remaining thirty-five met in conclave, December 1, 1799. The proceedings, which are given at length by Artaud (chap. v.), were protracted — partly from want of the necessary agreement of two-thirds among the voters, partly awaiting the answer to a message despatched to the emperor —

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\* *Memoires*, tome iii. pp. 355-7.

until March 14, 1800, when they terminated in the unanimous, though unexpected, election of the cardinal bishop of Imola.

Barnabas Louis Chiaramonti was the son of Count Scipio Chiaramonti and Giovanna Ghini. He was born at Cesena, August 14, 1742. From his early youth he selected the religious state of life; and, having made his first studies at Parma, took the Benedictine habit, under the name of Gregory, at Monte Cassino. Removed by his superiors to Rome, he entered the convent of *S. Paolo extra muros*; and afterwards taught theology with great success in several schools of his order. His distinguished virtue and learning drew upon him the favourable notice of Pius VI, his kinsman and fellow-citizen. He was appointed titular abbot, still, however, continuing to reside at San Paolo, where he had charge of the library—an occupation to which he seems to have been at all times extremely partial. This was but a step to higher dignities. He was named Bishop of Tivoli; and the zeal with which he discharged all the duties of a bishop, establishing schools, founding and endowing libraries, and watching in everything over the moral welfare of his flock, united the voices of all in joyful approval of the decree by which, February 14, 1785, he was appointed to the see of Imola, and the seat in the sacred college, vacant by the death of Cardinal Bandi, in the preceding year.

His unaffected piety and mildness made him the idol of his new flock, and nothing could be more happy than his exercise of the influence which he thus possessed. His charity was without limits. Independently of private alms, he distributed every month one-half of his revenues to the poor, scarcely retaining the mere necessities of life; and it is a fact beyond all question, that, at his departure for the conclave at Venice, from which he returned as sovereign pontiff, he was obliged to borrow the money requisite for the expenses of his journey! During the stormy season of French domination in Italy, his prudence and moderation restrained his flock from the vain and fruitless resistance to the too powerful usurpers, which, in the neighbouring cities, only served to rivet the chain more strongly, by affording a plausible pretext for that system of oppression which, even unprovoked, was but too sure to follow in the train of the revolutionary armies. Thus his people suffered comparatively little; and while his prudence and moderation were the theme of praise throughout Italy, the firmness with which, through all the terrors of the campaign of 1797, he maintained

his ground among his flock, even when the French army marched upon Imola, shadowed forth, not obscurely, the meek, but unbending courage which distinguished the chequered history of his subsequent life. It is not a little remarkable that the very conduct which was thus admired in the cardinal, should, on a future occasion, be made the ground of accusation against the pope. So it has been, however, with those impracticable persons among the royalist party in France, who, in their blind adoration of the crown, forgot, with the Abbé Blanchard, the duty of reverence for the tiara. It was alleged that the moderation of the bishop of Imola was the result of his devotion to the principles of the revolution. His toleration of the existing state of things, which it was beyond his power to ameliorate, was construed into a direct approval; and a homily which he addressed to his people on an occasion of peculiar excitement, was represented as a panegyric of the republican government of France. All these charges are solidly refuted by Artaud: and, in truth, for the refutation of that which regards the homily, it is only necessary to read the document itself: a bare perusal will shew that the object was simply to meet a difficulty put forward, even from the pulpit, by the friends of Austria—that it is unlawful to obey the laws of a republic. In order to calm the scrupulous objections of the pious, the homily merely declares in general, without any reference to the French republic, that the republican form of government is not *in itself* opposed to the principles of the gospel, nor inconsistent with the duties prescribed therein.

In grateful memory of his predecessor, Cardinal Chiaramonti took the name of Pius VII. He was crowned in the church of San Georgio, at Venice, March 21, by Cardinal Antonio Doria. In the encyclical letter addressed to the cardinals and to all the bishops of Christendom, he expressed in the strongest language, that feeling which was always nearest his heart—a paternal sympathy for the condition, and a prayer for the relief, of the oppressed and suffering children of the Church in France. It might seem as if Providence had inspired the prayer. The overthrow of the Directory, long tottering, but more virulent from its very imbecility, had called to the head of affairs, as first consul, with powers even then almost arbitrary, a young and distinguished, but profoundly ambitious, man. We shall not here discuss the motives which guided the early ecclesiastical policy of Napoleon. Chevalier Artaud would seem to insinuate that truth lies between the extreme opinions which are commonly entertained. However

this may be, certain it is that his policy was well calculated to promote that scheme of universal dominion, which, even from the moment of his first successes in Italy, he had began to cherish. The old revolutionary faction, those especially whose hands were stained with the royal blood of France, had ever viewed the altar and the throne with the same sullen hatred; and opposed, with equal animosity, any attempt, however modified, for the restoration of either. These he resolved were to be shaken off. The less violent of the emigrant party, those whose attachment to the cause originated less in affection for the exiled family, than in fear and horror for the anarchy of the blood-stained republic, were expected to hail with joy any return to a form of government, which, in contrast with the existing state of things, might seem almost monarchical. Among these, no less than the high aristocrats, the attachment to religion had remained unshaken through the storm. They regarded the constitutional clergy as apostates from the faith and unity of the Church; and to these, also, no measure could be devised more grateful, than a return to the communion of the holy see, and a re-establishment of the legitimate worship of the country. The brilliant campaign of Marengo, while it restored the French power in Italy, where it had been shaken to its base under the imbecile arms of the Directory, at the same time strengthened and extended at home the growing power of the first consul. The measure so hateful to the remnant of the Robespierre party was taken; and while Pius was yet upon his way to Rome, a communication, through Cardinal Martiniana, bishop of Vercelli, almost from the battle-field of Marengo, signified to him, that it was the wish of the consul to resume the friendly relations with the holy see, and to treat about the re-establishment of religion in France.

We shall not delay upon this most important negociation, which, by the special providence of God, was made the opening of better days for France. Nothing can be more satisfactory than M. Artaud's account, which comprises a brief explanation of the previous ecclesiastical relations of France with the see of Rome established by the Pragmatic Sanction, and afterwards the concordat of Leo X with Francis I, which, with a few modifications, continued in force till 1789. In the very opening of the discussions, M. Artaud reached Rome as secretary, his principal being M. Cacault, a man of great prudence and moderation. Even at this early stage, we find an outbreak of that imperious and arbitrary temper, which marked

the subsequent conduct of Napoleon towards the holy see. Amid the theological and canonical difficulties in which it was involved, the discussions of the concordat were necessarily tedious, to a degree for which the prompt and decided habits of the soldier-diplomatist could make no allowance; and, in the midst of the proceedings, an imperious dispatch was received, commanding Cacault to leave Rome, if, within three days, the concordat was not duly signed. It was only the extreme prudence of the ambassador which prevented a rupture. By his advice, Cardinal Consalvi, who enjoyed the fullest confidence of his holiness, repaired in person to Paris without a moment's delay; and, by his prudence and address, secured a successful termination of the slippery and precarious discussion, on which depended the peace of religion, and the interests of the suffering Church of France. It was not, however, without great sacrifices that this blessing, so long and anxiously desired, was obtained. The three legations, which the irregular and invalid treaty of Tolentino (signed only by Cacault, who had not full powers, and Napoleon, who had no powers at all) had wrested from the holy see, were suffered to remain unclaimed. But it was with more difficulty that the pope consented to the demand of a new ecclesiastical division of France, and of the resignation of the bishops of the existing sees.

The concordat was signed at Paris, July 15, 1801, and ratified at Rome on the fifteenth of the following August. In France, however, it was not published for many months. In order to explain the cause of the delay, it may be well to transcribe this remarkable treaty. We give it, in the original French, as it was officially published at Paris.\*

*“Convention entre Sa Sainteté Pie VII et le gouvernement Français.*

“Le gouvernement de la république reconnaît que la religion Catholique, Apostolique, Romaine, est la religion de la grande majorité des citoyens Français.

“Sa Sainteté reconnaît également, que cette même religion a retiré, et attend encore à ce moment, le plus grand bien, et le plus grand éclat, de l'établissement du culte catholique en France, et de la profession particulière qu'en font les consuls de la république.

“En conséquence, d'après cette reconnaissance mutuelle, tant pour le bien de la religion, que pour le maintien de la tranquillité intérieure, ils sont convenus de ce qui suit :

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\* 1 vol. 8vo. containing several other most interesting documents. By authority of the Cardinal Legate. Paris: 1802.

**" ARTICLE I. La religion Catholique, Apostolique et Romaine, sera librement exercée en France. Son culte sera public, en se conformant aux règlements de police, que le Gouvernement jugera nécessaires pour la tranquillité publique.**

**" II. Il sera fait par le Saint-Siège de concert avec le gouvernement une nouvelle circonscription des diocèses Français.**

**" III. Sa Sainteté déclarera aux titulaires des évêchés Français, qu'elle attend d'eux avec une ferme confiance, pour le bien de la paix et de l'unité, toute espèce de sacrifice, même celui de leurs sièges.**

**" D'après cette exhortation, s'ils se refusaient à ce sacrifice commandé par le bien de l'Eglise (refus néanmoins auquel Sa Sainteté ne s'attend pas), il sera pourvu par de nouveaux titulaires au gouvernement des évêchés de la circonscription nouvelle, de la manière suivante.**

**" IV. Le premier consul de la république nommera, dans les trois mois que suivront la publication de la bulle de Sa Sainteté, aux arch-évêchés et évêchés de la circonscription nouvelle. Sa Sainteté conférera l'institution canonique suivant les formes établies par rapport à la France avant le changement du gouvernement.**

**" V. Les nominations aux évêchés qui vaqueront dans la suite seront également faites par le premier consul ; et l'institution canonique sera donnée par le Saint Siège en conformité de l'article précédent.**

**" VI. Les évêques, avant d'entrer en fonctions, prêteront directement entre les mains du premier consul, le serment de fidélité que était en usage avant le changement du gouvernement, exprimé dans les termes suivans :**

**" Je jure et promets sur les saints Evangiles, de garder obéissance et fidélité au gouvernement établi par la constitution de la république Française. Je promets aussi de n'avoir aucune intelligence, de n'assister à aucun conseil, de n'entretenir aucune ligue, soit au dedans, soit au dehors, qui soit contraire à la tranquillité publique : et si dans ma diocèse, ou ailleurs, j'apprends qu'il se trame quelque chose au préjudice de l'état, je le ferai savoir au gouvernement.**

**" VII. Les ecclésiastiques du second ordre prêteront le même serment entre les mains des autorités civiles désignées par le gouvernement.**

**" VIII. La formule de prière suivante sera recitée à la fin de l'office divin, dans toutes les églises catholiques de France :**

**" ' Domine salvam fac rempublicam.'**

**" ' Domine salvos fac consules.'**

**" IX. Les évêques feront une nouvelle circonscription des paroisses de leurs diocèses, qui n'aura d'effet qu'après le consentement du gouvernement.**

**" X. Les évêques nommeront aux cures. Leur choix ne pourra tomber que sur des personnes agréées par le gouvernement.**

**" XI. Les évêques pourront avoir un chapitre dans leur cathédrale,**

et un séminaire pour leur diocèse, sans que le gouvernement s'oblige à les doter.

“ xii. Toutes les églises métropolitaines, cathédrales, paroissiales, et autres non aliénées, nécessaires au culte, seront mises à la disposition des évêques.

“ xiii. Sa Sainteté, pour le bien de la paix et l'heureux rétablissement de la religion catholique, déclare que ni elle, ni ses successeurs, ne troubleront en aucune manière les acquereurs des biens ecclésiastiques aliénées ; et qu'en conséquence, le propriété de ces mêmes biens, les droits et revenus y attachés, demeureront incommutable entre leurs mains, ou celles de leurs ayant-cause.

“ xiv. Le gouvernement assurera un traitement convenable aux évêques et aux curés dont les diocèses et les cures seront compris dans la circonscription nouvelle.

“ xv. Le gouvernement prendra également des mesures pour que les catholiques Français puissent, s'ils le veulent, faire, en faveur des églises, des fondations.

“ xvi. Sa Sainteté reconnaît, dans le premier consul de la république, les mêmes droits et prérogatives dont jouissait près d'elle l'ancien gouvernement.

“ xvii. Il est convenu entre les parties contractantes, que, dans le cas où quelqu'un des successeurs du premier consul actuel ne serait pas catholique, les droits et prérogatives mentionnés dans l'article ci-dessus, et la nomination aux évêchés, seront réglés, par rapport à lui, par une nouvelle convention.

“ Les ratifications seront échangées à Paris dans l'espace de quarante jours.

“ Fait à Paris, le 26 Messidor de l'an ix de la république Française. (15 Juillet, 1801).”

Among the provisions of this concordat, there was none which created so much interest, or involved so many difficulties in its execution, as that contained in Art. III. The division of sees made by the civil constitution of the clergy, was advisedly passed over as of no effect; but, as a preliminary to the new circumscription, the first consul insisted on the resignation of the ancient bishops of the existing sees. This was a matter of great difficulty, and only warranted by the extraordinary circumstances of the times; it was not, however, without a precedent, at least in principle. During the stormy discussion of the civil constitution in 1791, thirty bishops of France, with a disinterestedness worthy their sacred calling, had tendered to Pius VI a formal resignation of their sees, for the peace of the Church, and the accommodation of the dangers by which religion was then encompassed. The hope of a similar spirit in circumstances of equal, if not greater, difficulty, induced Pius VII to consent to the proposal of a

new division. He addressed a feeling and paternal, but authoritative, brief to all the titular bishops of France, and of the countries newly attached to the French republic. While he reminded them of the generous self-devotion of their body in 1791, he assured them it was not without a great struggle he had consented to require, for the peace of religion, in the new crisis which had arisen, a similar sacrifice of existing rights.

The details of this interesting correspondence are incompatible with the limits of an article like the present. They are given at considerable length by Artaud, and the reader will find many additional particulars, much more methodically arranged, in the third volume of Picot. Of the one hundred and thirty-five bishops who, in 1789, held the sees of France, fifty-one had since died, and three had renounced the ecclesiastical profession; so that there remained but eighty-one from whom it was necessary to require an act of resignation. Of these forty-five cheerfully consented to the sacrifice. The remaining thirty-six, without absolutely declining at once, represented the dangers and inconvenience of a measure so completely without precedent; and pressed upon his holiness the expediency of deferring, if not utterly abandoning, a project which, in one hour, must reduce the whole Church of France to a state of precarious and dependent widowhood. But the necessities of the time deprived Pius of the choice. The disease, no less than the remedy, was without a precedent; the wounds of France were still bleeding; the weal of the many in this afflicted Church, took place in the mind of him who had the "solicitude of all Churches," of the interests of the few, however dearly cherished; and, deeply though he was pained by the necessity, he had no choice but to enforce the severe and sweeping provisions of the third article of the concordat. It was solemnly published April 5, 1802. At the same time were published two bulls: the first, *Ecclesia Christi*, is merely explanatory of the concordat; the other, *Qui Christi Domini*, expresses the great unwillingness of the pope to take, without the full assent of the bishops of France, any step in a matter of such importance to religion, and so essential to the restoration of peace and unity in the Church: it proceeds, nevertheless, to withdraw the jurisdiction of all, even those who had refused to resign, and cancels the ancient division of dioceses in France. The new division comprised sixty sees, of which ten were metropolitan; and embraced not only the ancient dioceses of France, but also those of the new territories—the Low Countries, Savoy, Liege, Worms, and

Spire. The nomination to these sees, which is but lightly touched by M. Artaud, was a matter of great delicacy and difficulty; nor was it till the close of the year that all was definitively arranged. On Easter-day, April 18, 1802, the Church of France witnessed the comparatively happy scene to which her faithful children had looked forward through so many years of blood and persecution. The metropolitan church of Paris, which, but a few years before, it would have been disgrace to visit, was once more crowded with the great officials of the state: and, hollow as undoubtedly were the professions of some of the number, the three consuls, with all their retinue, assisted at the chaunting of the *Te Deum* and the solemn celebration of mass, to return thanks to Providence for the re-establishment of religion in France.

But this happy event was not unattended by circumstances which threw a damp upon the general satisfaction. The continued remonstrance of the bishops, who had withheld their resignation, was a source of painful regret to Pius: and, unhappily, the conduct of the government, both in the nomination to the new sees, and in the publication of the concordat itself, seemed to justify, but too well, their gloomy prognostications of the consequences of the measure. At the same time with the concordat, and in such a manner as that they appeared to emanate from the same authority, were published a body of *articles organiques*, which, in addition to their being opposed in their general tone to the established ecclesiastical discipline, placed the Church in the most servile dependence upon the government. In the allocution of May 24, 1802, the pope declared that these articles were published without his knowledge or concurrence. But neither his own earnest remonstrance, nor the friendly representations of the ambassador, Cacault, could procure any modification of their spirit.

For a time, however, in the disposition to interpret favourably, these were considered by the friends of religion, as accidental circumstances, not affecting the measure itself, and perhaps a necessary sacrifice to the still powerful anti-religious party. The prompt and honourable restoration of the remains of Pius VI, which had been interred at Valence, the protection extended to the order of charity and to the priests of the *missions étrangères*, and some favourable measures regarding the episcopal seminaries, seemed to give promise of better things; and, amid the difficulties by which he was still surrounded, it was consoling to the humble pontiff, to feel that the sacrifice had not been made in vain,—to receive

assurances of the happy results which the re-union of France with the holy see had already produced, in checking the progress of infidelity, and restoring the long-lost influence of religion. It was, indeed, even with these draw-backs, a wondrous revolution. Who, five years before, could have anticipated the scenes which the history of 1802 presents—the leading powers of Europe entrusting to the decision of the Roman pontiff a matter which most intimately concerned the general tranquillity—the election of a grand master of Malta—protestant England, anti-papal Austria, and infidel France, vying with each other to do honour to a powerless bishop, now deprived even of those possessions which once had given him a voice in the political affairs of Europe?

But these, and the other incidents of the early reign of Pius, fade into insignificance before the mightier events which, succeeding each other with dazzling rapidity, held Europe silent in amazement and alarm. By regular, but rapid steps—soldier of fortune—general—first consul—then consul for life,—Napoleon had, at length, reached the last point to which his ambition aspired. The decree of May 18, 1804, had called him to the hereditary imperial crown of France!

The same policy which induced this profound student of the human heart, to treat for the restoration of religion in France, suggested the advantages which his own dignity might derive, if the pope could be induced to perform in person the ceremony of his coronation and consecration. The difficult and delicate negociation was entrusted to Cardinal Fesch, who, probably with this prospective purpose, had, for some time, taken the place of Cacault, as ambassador at Rome. Pius was startled by the idea of a step so unprecedented,\* and one, which, while it involved him inextricably with the fortunes of the new emperor, seemed also to compromise for ever the rights of the exiled family. On the other hand, the hope of the good which might be effected by the presence of the father of the faithful in the midst of a people just awaking from the wild dream of irreligion, prompted him to extend the limits of toleration. The imperfect or corrupt organization of ecclesiastical affairs, had shut out the advantages expected from the concordat, and the indications of imperious and arbitrary policy in the concerns

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\* At least in more recent times. Pepin le Bref, in 754; Louis le Debonnaire, in 816; Louis II, in 879, and Louis VII, in 1131, had all been consecrated in their own dominions, by the reigning pontiffs of their respective times.

of the Church, which the first consul had already evinced, filled Pius with further fears for France, under a hostile emperor. The matter was referred to the decision of the sacred council, where, by a majority of voices, it was pronounced that, under certain stipulations which the pope had himself predetermined to exact, it was expedient that he should comply with the desire of the new emperor. The entire discussion is comprised in a memorial, (pp. 462-9), drawn up by Cardinal Fesch. It was expressly stipulated on the part of the pope, that the ecclesiastical affairs of France, no less than the coronation of the emperor, should be acknowledged as the motive of his visit; that the emperor should listen favourably to his remonstrance against certain articles of the *loix organiques*, which outstepped even the liberties of the Gallican Church, and the claims of the old government; that the obedience of some constitutional bishops, who had not yet submitted, should be secured; and that the concordat with the Italian republic should be put into immediate execution. It is, perhaps, worthy of remark, that, in the regulations with regard to the ceremonial of audience and presentation, the pope protests that he will not receive Madame de Talleyrand, "lest he should appear to sanction, by the act, a marriage which he will never acknowledge."

On the 15th September, 1804, the emperor wrote from Cologne, the formal letter, (pp. 487-8), requesting the presence of his holiness at his consecration; and, on November 2d, the pope left Rome. His journey was rapid; but it was everywhere marked by the most consoling demonstrations of joy on the part of the people, and of devotion to the person of his holiness. Nov. 12th, he celebrated mass at Lyons, and had the happiness of bestowing his benediction upon an innumerable multitude, who thronged the space in front of the church. The same enthusiasm accompanied him throughout his entire route. "Blessed be God," said he afterwards to Fouché, "I have travelled through the midst of a kneeling people! How different from what I had anticipated!"

On the 25th, he reached Fontainebleau, where he had his first interview with Napoleon. On his arrival at Paris, he was everywhere hailed by deputations of the legislative bodies, the public institutions, and the learned societies; and while, in vindication of outraged discipline, he required, before proceeding to the consecration, the full submission of the constitutional bishops; he enjoyed, at the same time, the happiness of witnessing the unaffected attachment of those faithful

children of the Church, who had not swerved, in sunshine or storm, from the sworn duty of allegiance to its supreme pastor.

A very short time after the ceremony of the consecration, which took place, Dec. 2d, Pius began to express his anxiety to return to Rome, and to press upon the emperor the fulfilment of those stipulations which he had made the condition of his visit to France. Alas ! his fervent hopes were doomed to disappointment. The *articles organiques* were favourably explained, but still continued the law of the land : and, although it was enacted, that no clergyman could be compelled to administer the solemn benediction in a marriage after divorce, yet the remonstrances of the pope were insufficient to procure the removal, from the civil code, of the offensive law by which divorce was permitted. And, indeed, the only direct fruit of a mission from which he had hoped so much, was the submission of the constitutional bishops, the restoration of the order of charity, of that of the Christian schools, of the *Société des missions étrangères*, and that of the priests of the mission. Even in the midst of these disappointments, however, the paternal solicitude of Pius extended to our own neglected country. Among the few requests which he made of Napoleon, was one for the re-establishment of the foundations for the education of Irish students, swept away amid the universal confiscation. To this request, we are indebted for the restoration of the Irish College, Paris, reopened soon after his return to Rome.

The following anecdote is highly characteristic :—

"The pope never mentioned the name of the high official who proposed to him to reside at Avignon, to accept a palace in the archdiocese of Paris, and allow a privileged quarter to be established, as at Constantinople, where the diplomatic corps accredited to the holy papal court, should have the exclusive privilege of residing. This proposal, at first insinuated, rather than directly addressed—afterwards repeated to his attendants and confidants, and to several Frenchmen who were friendly to the holy see, led him to suppose that there was an intention of detaining him in France. The fatal words were never directly pronounced by Napoleon ; but he possessed such a control over the thoughts and words of men at Paris, that it was not possible they should have been hazarded without his sanction. It was repeated at last with so much confidence, that the pope thought it right at length to reply to the same official personage,—“It is reported that you mean to detain us in France. Be it so—you may take away our liberty if you will. All that is provided for. Before leaving Rome, we signed a regular abdication, which will come into force the moment we are cast into prison. This act is beyond the power of

France. It is in the hands of Cardinal Pignatelli, at Palermo ; and *the moment you make public your designs, that moment you will have in your hands only a poor simple monk, named Barnabas Chiaramonti.*"

"That very evening, the orders for his departure were submitted to the emperor."—vol. ii. pp. 38-9.

A number of rich presents were prepared for the pope, and the several members of his retinue ; and pensions were fixed by the emperor for the cardinals who had accompanied him. They were all respectfully declined ; and, on April 4th, 1805, the emperor having already set out to Milan, where the ceremony of his coronation, as king of Italy, was to take place,—Pius VII, disappointed of his dearest hopes, left Paris, on his return to Rome. His journey, however, which occupied about six weeks, was full of consolation. Wherever he appeared, the same enthusiastic reception awaited him : and at Florence he had the happiness of extinguishing the last smouldering embers of a protracted schism, by receiving from Ricci, the refractory bishop of Pistoia, a full retraction of all his errors.

After his return, the same unsatisfactory state of relations with Napoleon still continued, notwithstanding his earnest remonstrance. The offensive *articles organiques* were extended to the kingdom of Italy ; and his mild, but firm and dignified refusal to dissolve the marriage of Jerome Bonaparte, though solicited by the emperor himself, contributed to widen the estrangement. The war with Austria commenced. Ancona was seized by the French army under St. Cyr. The pope protested against the usurpation. For six months the protest remained without direct notice. December 26th, 1805, the treaty of Presburg was concluded ; and on the sixth of the following month, the emperor replied to the protest by a haughty and imperious letter. (p. 106-7.) Nothing could be more truly apostolic than the reply of Pius ; unless, perhaps, it be his answer to a second letter of Napoleon, in which he requires the dismissal of the Swedish, Russian, and British subjects from the papal dominions. We can scarcely afford room for a few extracts.

"We commence with your Majesty's demands. You require of us to expel from our states all the subjects of Russia, England, and Sweden, and the agents of the king of Sardinia ; as also to close our ports against the ships of the above-named nations. You require us to abandon our peaceful neutrality, and declare open war against these powers. Your Majesty will permit us clearly and precisely to

reply, that it is impossible for us,—not on account of our temporal interests, but of the essential duties inseparable from our character—to comply with these demands. Consider well all the relations in which we are placed, and judge whether it becomes your religion, your greatness, or your humanity, to compel us to a step of this nature?....

It is not our own will, it is that of God, whose place we hold on earth, that prescribes to us the duty of peace towards all, without distinction of Catholic or heretic, far or near, benefactor or persecutor. We cannot betray the office committed to us by the Almighty; and we should betray it, were we, for the motives assigned by your Majesty—that is because the parties in question are heretics, who can only work us injury, (these are your Majesty's words),—to accede to a demand which would involve us in a war against them . . . . .

"The Catholics who reside in the dominions of these powers, are of no inconsiderable numbers. There are millions of Catholics in the Russian empire. There are millions and millions in the countries subject to England. They enjoy the free exercise of their religion, and are protected by the state. We cannot foresee the consequences, if these powers should see themselves provoked by an act of hostility, so decided as would be the expulsion of their subjects, and the closing of our ports against their shipping. Their resentment against us would be the stronger that, in appearance, it would be more unjust, since we had not sustained any injury at their hands . . . . .

The conclusion is dignified and touching in the extreme :

"These are the candid sentiments which the voice of conscience has dictated. Should, unhappily, your Majesty's heart remain unmoved by our words, we should suffer with evangelical resignation, we should submit to every affliction, receiving them all from the hand of the Lord. Yes, truth shall always triumph on our lips; constancy in maintaining untouched the rights of our see shall reign in our heart: we will face all the adversities of life, rather than prove unworthy of our ministry. And you—you will not desert that spirit of wisdom and foresight which distinguishes you. It has taught you that the prosperity of a government and the tranquillity of a people are inseparably connected with the welfare of religion."—vol. ii. p. 130.

Each day served but to widen the breach; nor indeed were there wanting fresh occasions of dissatisfaction. The viceroy of Italy having, in defiance of the papal protest, violated the terms of the concordat, Pius VII refused to grant the bulls of the newly appointed bishops. Cardinal Fesch was immediately recalled from Rome. The papal principalities of Benevento and Ponte Corvo were soon after bestowed on Talleyrand and Bernadotte. The pope, while he protested against the usurpation, declared that he would offer no resistance. But the sacrifice was unavailing, or served only to provoke further aggressions. The new French ambassador,

Alquier, was directed formally to demand that the papal ports should be closed against the enemies of the empire. The demand was met by the pontiff in the same mild, but decided tone—firmly declining to violate the neutrality, which duty and inclination alike prompted him to maintain. “His Majesty,” said he to the ambassador, “may execute his menace if he will. He may strip me of my possessions. I am resigned. *I am ready, if it be the will of God, to retire to my convent, or, like the first successors of St. Peter, into the catacombs of Rome.*”

The crisis was hurrying on. The inflexible pontiff withdrew his powers from Caprara, the Cardinal Legate, at Paris; and persisted in his refusal to grant the bulls of institution to the bishops newly nominated for the kingdom of Italy. The following furious letter of Napoleon to the Viceroy Eugene, flings the mask aside for ever :—

“ My son,—I have seen in the letter which his ho'iness has addressed to you—but which, undoubtedly, he did not write—I have seen that he threatens me. Can he believe, then, that the rights of the throne are less sacred in the eyes of God, than those of the tiara? There were kings before there were popes.—They will publish, they say, all the injuries I have done to religion.—The madmen! They do not know that there is not a corner of the world, in Germany, in Italy, in Poland, where I have not done more good for religion, than the pope has done mischief, not through evil intentions, but through the angry counsels of certain shallow men who are around him. They will denounce me to Christendom!—This ridiculous thought can only proceed from a profound ignorance of the age in which we live: there is a mistake of a thousand years in the date. The pope who would proceed to such a step, would cease to be pope in my eyes. I would consider him but as the Antichrist, sent to upturn the world, and do evil to men: and I would give thanks to God for his impotence. If this were so, I would separate my people from all communion with Rome, and establish such a police, that we should see no more of these mysterious pieces circulated, nor these subterranean meetings which have afflicted some parts of Italy, and which had been imagined only to alarm timorous spirits. What would Pius VII. effect by denouncing me to Christendom? Place my throne under interdict? excommunicate me? Does he think that then the arms would fall from the hands of my soldiers? Does he imagine that he would put a dagger into the hands of my people, to murder me? There would be but one step more—to make me cut off my hair, and shut myself up in a monastery! . . . . .

“ The pope has taken the trouble to come to my coronation at Paris; and in this proceeding, I have recognized a holy prelate. But he wished me to give up the legations to him. I declined it. The pope has too much power. Priests are not made to govern. . . . .

"Why will not the pope render to Cæsar the things which are Cæsar's? Is he more than Jesus Christ upon earth? Perhaps, if he continue to trouble the affairs of my states, the time is not far distant when I shall recognize him only as bishop of Rome, as equal and of the same rank as the bishops of my own states. I have no fear of being able to unite the Gallican, Italian, German, and Polish Churches, in a council, to transact my business without the pope . . . . .

"In fact, what can save in one country, can save also in another: the rights of the tiara are at bottom but duties, humiliation and prayer. I hold my crown from God and from my people, and am responsible only to God and to my people. I will always be Charlemagne to the court of Rome, but never Louis le Débonnaire. . . . . Jesus Christ has not instituted a pilgrimage to Rome, as Mahomet to Mecca.

"Such are my sentiments, my son. I have thought it of importance that you should know them. I authorize only a single letter from you to his holiness, to apprise him that I cannot consent that the Italian bishops should go to seek their institution at Rome.

"Dresden, July 28th.

"NAPOLEON."

From this date, events succeed each other with such rapidity, that it would be vain to attempt any condensation of the history. Chev. Artaud's account of this period is somewhat disorderly, though he avoids a misapprehension into which Beauchamp, and even Simon, had been led by an apocryphal allocution, (Feb. 5th, 1808), printed in the *Correspondance de la cour de Rome avec Bonaparte*; and in truth, the best and most interesting, as well as authentic history, will be found in the official documents, published in the correspondence, and appended to Beauchamp's volume.\* A French army, commanded by General Miollis, with a mixture of force and treachery, took possession of Rome, under pretence of securing the free communication between northern and southern Italy; and carried their violence so far, as to turn the mouths of their cannon against the Quirinal palace.

Twenty cardinals were ordered, under pain of confiscation, to leave Rome, and retire to their respective sees. The provinces of Urbino, Ancona, Macerata, and Canino, were united to the kingdom of Italy. Monsignor Cavalchini, governor of the city, was arrested, and sent into exile. The portfolio of Cardinal Gabrielli, the secretary, was seized, and he himself ordered to quit the city. A similar order was issued, and attempted to be enforced, against Cardinal Pacca, who succeeded him in office. But the pope firmly resisted; and from that hour, it would seem that his arrest was determined.

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\* See also Botta's *Storia d'Italia*, in which this period is treated in the most graphic manner of this eloquent historian.

These scenes of violence upon the one hand, and of unresisting, but yet unyielding endurance upon the other, continued during the close of 1808, and the early part of the following year. On the 17th of May 1809, Napoleon issued from the imperial camp at Vienna, the decree, uniting the papal territory to the kingdom of Italy; and on the 10th of June, the Roman banner, which for ages had waved from the summit of St. Angelo, was replaced by the imperial standard of Napoleon. The pope immediately issued his protest against the usurpation; and, on the night following, posted the bull of excommunication against the authors, movers, and abettors of the violation of these and the other more sacred rights of the holy see. By the express orders of his holiness, the utmost caution was used, lest any one should suffer in the attempt; and they succeeded in posting the bull in the usual places, without attracting the notice of the French guards. In the morning, it was discovered by the astonished sentinels, and carried to General Miollis, who immediately forwarded it by express to the emperor.\*

From this day, the pope's seclusion became complete. The circumstances of his arrest and abduction, are detailed with great minuteness. The account is taken, with little variation, from the narratives of Cardinal Pacca and of General Radet, to whom the arrest was intimated. We refer to the original (pp. 208-28) for the particulars of this treacherous and sacrilegious outrage, which took place at three o'clock in the morning of June 6th, 1809. Not a moment was lost in carrying into effect the orders for his removal. It is difficult, while we read the terrors of that hour, not to admire the firmness which could dictate the touching and tender pastoral bidding farewell to his flock; a few extracts of which, Artaud (pp. 223-4) has transcribed. Hurried away for nineteen successive hours, under the broiling July sun of Italy, without attendants, without money, without even a change of dress, in a carriage locked and closely shut, to prevent the recognition of his person, it is no wonder that the health of the infirm and aged pontiff should have given way. At Radicofani, he was attacked by fever, the necessary consequence of the fatigue which he had endured. It continued with intermissions during the entire journey; for he was compelled, notwithstanding

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\* Chev. Artaud is mistaken here. The bull was posted in the usual places during the broad daylight, by the late Cavalier Mencacci (then a hackney-coach-driver), and his son. Card. Pacca tells, that the dangerous and difficultfeat was performed while the faithful were passing to vespers at S. John Lateran.

standing, to proceed. "Are your orders," said he to Boissard, who had succeeded Radet in the command of the party;—"are your orders to carry me, whether dead or alive, to France? If so, we may proceed." The remonstrance procured—a delay of a few hours! To add to his distress, Cardinal Pacca was separated from him, and transferred to the fortress of Fenestrella, where he was immured for three years.

But this fearful journey was not without its consolations. We cannot pass by the following simple scene:—

"The pope's journey to Alexandria lasted seven days, from the 9th till the 15th of July. On the morning of one of his first days, some peasants gathered around the carriage, and begged his benediction. The commandant saw himself obliged to halt, and to permit the holy father to bless them. After this short and touching ceremony, the pope begged one of those who were still kneeling, to bring him a little fresh water. The crowd rose up simultaneously—some ran to the horses to stop them, others crowded in front of the gendarmes; a great number rushed into the cabins, uttering cries of exultation and joy. They offered every kind of refreshment to the holy father; and he was obliged to take from every hand which presented, or at least to touch what was not accepted. The women forced the men to give place to them. Every one cried out, "Me—me, most holy father, yet me!" "From all?" replied our pious pontiff, his cheeks streaming with tears. While in the act of handing some delicious fruits into the carriage, one of the peasants, with the energetic and terrible words, "*vuole? dica!*!" proposed to the pope to repulse the soldiers, and rescue him. The pope, with an accent of true tenderness, of supplication and prayer, implored them not to make any resistance; and gave himself up again to the commandant, who resumed the route to Geneva. A short distance onwards, the pope found himself separated from his baggage; and overcome by the oppressive heat, he asked for a change of linen. A peasant offered it to him upon the spot; then, in kissing with transport the hand which blessed him, he managed to detach from the sleeve a pin, which he carried off as a rich pledge of this simple loan."—vol. ii. pp. 241-2.

The place chosen for the pope's exile, was Savona.\* He was lodged in the episcopal palace, and a numerous retinue assigned him. But, while considerable attention was given to this external shew, he was kept under the most rigid surveillance; and it was hoped, that, separated from all his trusted advisers, he might yield to the insidious counsels of those, who, through fear and interest, were ready to suggest a

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\* M. De Pradt, in his "Quatre Concordats" (ii. 415), attempts to sustain the absurd opinion, that the abduction of Pius was the work of Murat, and not of Napoleon. If evidence be sought for what is all but self-evident, it will be found in two letters of General Miollis (July 6th and 7th), addressed to the Emperor.—See vol. ii., pp. 239-41.

more pliant policy. Meanwhile, following up the same principle which dictated the imprisonment of Pacca, the emperor summoned all the cardinals to Paris, even those for whom old age and illness rendered the journey all but fatal. At Rome, by his orders, the official papers of all the public functionaries were seized and examined. Monsignor Gregorio, with many other functionaries, was arrested. General Miollis taunted him with the *folly* of persisting obstinately in fruitless opposition to the will of the emperor.—“*Nos stulti propter Christum!*” was the prompt and intrepid reply.

This unworthy warfare with a defenceless and unresisting old man, did not for the time interrupt the progress of the arms of Napoleon. “The 6th of July,” says Bourienne, “the very morning which followed the abduction of Pius, lighted up the day of Wagram.” This decisive field led to the treaty of Schönbrunn, concluded October 21st; and the unnatural though splendid alliance with Austria followed in its turn. The history of the divorce from Josephine is but little known, and has been frequently misrepresented. The following are the facts:—

“There was question of annulling the marriage with Josephine. I will abridge the details, because all the facts do not directly concern the history of Pius VII. On account of several previous grounds of invalidity, the marriage of Josephine with Napoleon had been celebrated *in facie Ecclesiae*, before the ceremony of the consecration. Josephine had refused to assist at the coronation, unless they acceded to her desire of being united anew with Napoleon. He was afraid that the absence of the empress would disarrange the ceremonial in which she was to bear an important part; and, being thus obliged to satisfy Josephine, he consented that the marriage should be blessed, but with the utmost secrecy; Cardinal Fesch alone being present. This renewal would have been even still invalid, had they not obtained a dispensation from the presence of the parties' ‘own priest, and the two or three witnesses,’ required by the Council of Trent. To meet this inconvenience, Cardinal Fesch went to Pius VII, at his apartments in the Tuilleries, and, without specifying anything, said to him, ‘Most holy father, your holiness understands, that, in my place of grand almoner, I have occasion for extensive powers.’ ‘I give you all my powers,’ replied the pope, to whom it had been explained already, that it would be well, by all means, that the marriage should be renewed, since the pontifical authority was about to pronounce prayers, which pre-supposed and asserted that Josephine was the wife of Napoleon. Fortified with these powers, Cardinal Fesch proceeded to the celebration of the marriage, and was under the impression that he renewed it validly. In all this, Cardinal Fesch acted with perfect good faith.

“When there was question of the divorce, the archbishop of Vienna

required that the marriage should be annulled at Paris, by the authority of the ordinary. They created, therefore, an official tribunal, which had not existed before, or rather, they created three—a diocesan, a metropolitan, and a primatial, to which the question of the marriage might be carried in succession. These three steps of ‘contentious jurisdiction,’ were created, in order to avoid the ‘recourse to the pope,’ which Napoleon positively declined. The marriage, however, was not brought beyond the first tribunals, where it did not fail to be annulled. The diocesan tribunal pronounced it invalid, because it had not been performed in presence of the parties’ ‘own priest and witnesses’—conditions essential to the validity, in which no written dispensation could be produced. They made no allusion to the powers demanded from the pope. It was clear, notwithstanding, that he had understood them with reference to dispensations necessary in Napoleon’s marriage; for, when long afterwards, they spoke in his presence of the emperor’s intention of divorcing her—‘How can the emperor,’ said he, ‘think of annulling his marriage with Josephine, when we ourselves granted all dispensations necessary for its revalidation?’ However this may be, certain it is, that since they did not produce before the tribunal certain proofs of the dispensation, the tribunal conceived itself competent to pronounce the revalidation null and void. The marriage, when submitted to the metropolitan court, was pronounced invalid, from defect of internal consent on the part of Napoleon. Lastly, an ecclesiastical commission, appointed by the emperor, declared the two tribunals competent; and they thought themselves warranted in proceeding to the new marriage.”—vol. ii. pp. 263-5.

The irregularity of the proceedings was sufficiently notorious. The cardinals then in Paris, to the number of twenty-six, were present at the civil contract of marriage, April 1, 1810. But, unwilling to sanction, by their presence, what they could not approve, thirteen of the number absented themselves from the religious ceremony, on the following day. Nothing could exceed the emperor’s rage, when his eagle-eye observed the vacant benches. Orders were immediately issued for the withdrawal of their pensions, and afterwards for their exile to different parts of the empire. Prohibited the use of the red robes of their order, they were obliged to appear in the simple black dress of the ordinary ecclesiastic; and hence, in the history of the time, are distinguished from their more pliant brethren, by the honourable title of the *black cardinals*.

Since the withdrawal of powers from the cardinal legate at Paris, a number of sees had become vacant in the French empire. To all these, Napoleon had continued to nominate according to the provisions of the concordat. But not one of the prelates thus named, had as yet received the canonical

institution ; and the pope firmly refused to grant it to any bishop, as long as he was detained in prison, shut out from every source of information, and deprived of the ancient rights of his see. In vain the representations of a commission appointed by the emperor. In vain the personal application of Cardinal Maury, who had been named archbishop of Paris. The reply of the intrepid Pius was a brief, ordering him to renounce, without delay, the administration of the see, and holding forth all the canonical penalties in case of disobedience. In vain, the violence of the imperial court. Pius was consoled and supported by the fidelity of his adherents. Cardinals Gabrielli, Oppizoni, and Di Pietro, submitted to imprisonment, in the fortress of Vincennes. The vicar-general of Paris resigned his office without a murmur ; and when, by a new brief, the pope declared invalid the appointment of the bishop of Nancy, to the archbishopric of Florence, the canons, to a man, refused to acknowledge his obtruded jurisdiction, though imprisonment for some, and the deprivation of their benefice for all, was the penalty of allegiance to the chief pastor.

This severity was soon extended to the venerable captive himself. On June 7th, 1811, while he was walking in his garden, his apartments were forced, and his papers and books seized and carried off, even to his breviary and the office of our Blessed Lady. He was deprived of the use of writing materials ; and the daily allowance of his household reduced to the miserable pittance of five pauls (twenty-five pence) for each member, including his holiness himself. All communication with his friends was cut off, and even the bishop of Savona was excluded from his presence. But measures such as these could only defeat their object. The attempt, while it excited the indignant sympathies of Europe, served only, by strengthening the resolution of the pontiff, to exhibit the impotent malice of his persecutor. Within a fortnight after their enactment, these harsh but powerless restrictions were modified, and soon afterwards partially withdrawn. But how far the same spirit was retained, we may gather from the following manifesto, bearing the signature of the prefect of the department of Savona,—but too visibly, as M. Artaud suggests aright, the fruit of Napoleon's arbitrary power.

"The undersigned, in pursuance of the mandate of his sovereign; his imperial and royal majesty, Napoleon, Emperor of the French, king of Italy, protector of the Confederation, &c., is directed to notify to Pope Pius VII, that he is forbidden, under pain of disobedience upon his own part, and upon theirs, to communicate with any

church of the empire, or any subject of the emperor ; that he who preaches rebellion, and whose soul is full of gall, ceases to be the organ of the Catholic Church ; that, since nothing can teach him wisdom, he shall see that his Majesty is powerful enough to do as his predecessors have done, and to depose a pope."—vol. ii. p. 220. *Savona*, July 14, 1811.

Treatment such as this, it was hoped, would eventually break the spirit of the pontiff. A commission\* was issued, to report upon the best means of providing for the Church of France under existing circumstances. In the first instance, a measure was proposed by the minister of public worship, entirely subversive of the papal authority in France. But, upon the firm representation of Cardinal Fesch, that the bishops would, to a man, resist its execution, it was withdrawn ; and the commission was directed to report upon two questions, the form of which betrays a strange mixture of silliness and sophistry. 1st. *All communication between the see of Rome and the subjects of the French empire being, for the present, cut off*, to whom should recourse be had for the dispensations usually granted by the pope ? 2nd. Since the pope refused to grant bulls of canonical institution, what was the legitimate course by which to supply the defect for those bishops whom the emperor had named in pursuance of the provisions of the concordat ?

In their reply to the first question, the commissioners, though betraying, in some particulars, a timid and vacillating policy, expressed themselves with considerable freedom upon the oppressed condition of the Church.† But in the answer to the second, they suggested, that if, at the expiration of six months from the sees becoming vacant, the pope declined to grant bulls, the metropolitan, or, in the vacancy of the metropolitan see, the first suffragan, should be authorized to proceed with the institution.

A deputation of bishops waited on the pope at Savona. This negociation, if such it could be called, is involved in great obscurity, which M. Artaud does nothing to clear up. It is said that he assented provisionally to the proposition suggested by the commissioners. But it is certain that he took the opportunity of renewing his protest against the unjust and arbitrary interruption of ecclesiastical discipline ; nor could he be induced to accept an offer of 200,000 crowns assigned as his annual revenue, preferring to subsist upon the voluntary, though precarious, assistance of the faithful.

\* This commission Artaud confounds with one held in the former year, Nov. 1809.

† Picot, *Memoirs*, iii. 522.

But this commission was only a preliminary of a grander ecclesiastical scheme suggested by the emperor—a national council of the bishops of his empire. M. Artaud's account of this council is somewhat meagre. The proceedings will be found at greater length, and in a more satisfactory form, in the third volume of Picot. The eyes of France and of Europe were fixed upon this assembly, which, although, as Picot proves, not even properly a national synod of France, was the most numerous assemblage of prelates since the general council of Trent. It consisted of ninety-five members—six cardinals, nine archbishops, and eighty bishops, exclusive of nine who were named by the emperor, but had not yet received the canonical institution from the pope. But, although the emperor insisted upon the establishment of a *bureau de police*, and the presence of his *ministre des cultes*, to overlook the proceedings, he was far from finding in the assembly the subservience on which it would seem he had calculated. The very first act of the council (June 17, 1811) gave mortal offence. Cardinal Fesch, whom the emperor appointed to preside, opened the council by taking and administering to all the profession of Pius IV, and thus promising entire obedience to the holy see. A general feeling of disapprobation was expressed of the tone in which the imperial message was conceived, and especially as regarded the papal authority in France. The Italian bishops openly protested against the address proposed in reply: and the bishops of Chambery, Munster, and Namur, completed the climax of non-compliance, by calling upon the council to demand at the foot of the throne the liberation of the oppressed pontiff. In vain was it attempted to carry the address in a modified form. Of the committee appointed to draw it up, only four adhered to the original provisions; and, as if to prevent its becoming in any way available for uses opposed to the canonical usages of the Church, it was resolved in a general congregation, that, in order to give to it, or to any other measure, force as a law, the approbation of the pope must first be secured by a deputation from the council.

The result may be anticipated from a knowledge of the imperial policy, reckless and arbitrary as it had become. On the tenth of July, the unpliant council was dissolved; and, two days afterwards, the bishops of Ghent, Tournay, and Troyes, who had taken an active part in the unpalatable proceedings, were sent to join the other refractory ecclesiastics in the prison of Vincennes. After these preparatory measures

of intimidation, however, an attempt was made to re-open the council; and on August 5, a decree, of the same tenor with that said to have been before approved, having been huddled through in a hasty and irregular congregation, a deputation was sent to the pope, at Savona, to solicit his approval. The provisions, though not in accordance, were not yet opposed to the spirit of the canons; the most offensive clause was explained as requiring only the delegation of a power which all Catholics acknowledged in the holy see; and, in the hope of procuring peace for the distracted Church, the pope renewed the provisional assent before given. He refused, however, to acknowledge the assembly as a national synod of France, and took especial occasion to applaud the submission and dutiful respect which the members had manifested to the see of Rome, "the parent and mistress of all Churches." Napoleon could not brook this direct disavowal of the very principle he had laboured so much to establish. The brief was refused, the negotiations abruptly broken off, and the deputation recalled to Paris.

Other cares, however, engrossed the busy mind of Napoleon.

"During the following winter, and the spring of 1812, the holy father was left in comparative quiet in his prison at Savona; Napoleon having given his whole thoughts to the memorable and fatal campaign in Russia. But on the evening of the ninth of June, the fatal anniversary of the day on which, three years before, he had been apprized of the intention to despoil him of his states, an order was notified to the pontiff to prepare for re-entering France; he was directed to change his dress,\* which might lead to his being recognized by the way. They set out on the morning of the 10th. After a distressing journey, without any rest, he arrived at midnight at the *ospizio* of Mount Cenis. At Stupinigi, near Turin, the government had sent forward Monsignor Bertazzoli, who travelled in the same carriage, and thenceforward was not separated from his holiness. In the *ospizio*, the pope became so dangerously ill, that the escorting officers deemed it right to transmit the intelligence to the government of Turin, and to demand whether they should halt or pursue their route. They were commanded to execute their orders. In consequence, *although the pope had received extreme unction on the morning of the 14th, they compelled him to resume the journey on the following morning.* Amid such outrages, the infirm pontiff must have had a constitution of iron to withstand all these barbarities. They travelled day and night. During the entire journey he never quitted the carriage; and when he took any

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\* Simon doubts this; but it is expressly asserted by Beauchamp, p. 179.

refreshment, it was brought to the carriage, which, even in the most populous towns, was kept locked during the change of horses. . . . Cardinal Pacca attributes this harshness to a desire of beating down the intellectual faculties of the pope, and subduing his heroic spirit, by the enfeeblement of his physical powers. In effect, he arrived at Fontainebleau in a state which excited still greater fears for his life; and for several weeks was confined to bed by a dangerous illness: But at least he had a bed; though a prisoner in his apartments, he could at least breathe more freely than in the horrible carriage, in which he had been locked up, even when not actually travelling; and he was allowed to resume the dress of his sacred dignity."—vol. ii. pp. 310-12.

But this monstrous anomaly was drawing to a close. Blinded by the splendour of former glories, which with others had lost much of their magic brilliancy, and recollecting France only as she had been when his triumphs were yet new, Napoleon had over-calculated the endurance of his people. He forgot that his reckless expenditure of human blood had brought sorrow and suffering to every hamlet and to every hearth in his empire; and would not open his mind to the startling, but too evident, truth—that France had begun to weary of a rule which had brought little but domestic misery in its train. But the fatal campaign of Russia changed suspicion into evidence. In wringing from the very heart of France new levies to restore his almost annihilated legions, the emperor felt how much his success depended upon public opinion, and a good understanding with all classes of his subjects. It became necessary to support an appearance of moderation. An official notice proclaimed that the pope was free; the cardinals who were in Paris, that is the *red cardinals*, were admitted to his presence without restraint; and every means was employed to induce him to sign a new concordat. The emperor and empress visited him at Fontainebleau with every mark of respect; nor did the imperious, and, as some say, unmanly violence, which the emperor displayed in a subsequent interview, interrupt the public shew of respect with which he was treated. Every device was employed to extort or to cajole his consent; but all was vain, at least as regarded the fruit which they hoped to draw from it: and when, at length, worn out by sickness, without a trusted friend to console under its burthen, beset without intermission by the emissaries of his relentless persecutor, appalled by their ceaseless representations of the evils to France which his obstinacy, as they termed it, was perpetuating, he was induced, with fingers scarce able to trace

the lines, to sign the preliminaries of a new concordat, it was with the express stipulation, that no steps should be publicly taken till he had full and free liberty to take the advice of the sacred college.

The point, however, was gained. From that moment ceased the necessity of restraint, and policy dictated that all appearance of it should be withdrawn. The black cardinals were recalled, and freely admitted to his presence; and it was proclaimed to France, that all differences had ceased between the pope and the emperor. But the very act by which it was proclaimed was itself a violation of the terms of the treaty. The remonstrance of the pope was disregarded, and the concordat, contrary to his express stipulation, was made public and declared the law of the empire. This was a severe stroke for the already sufficiently afflicted captive; but, with the return of his tried and trusty friends, and especially Pacca and Consalvi, his native firmness returned. In a letter to the emperor, which he took the precaution of reading for each cardinal in private, he protested against the concordat; and, the terms having been violated by its publication, recalled his fraudulently-extorted consent to the preliminary articles on which it was based.

But the defeat of this object, to attain which so much labour and cruelty had been expended, was one of the least evils which beset the emperor at this period. They were fast thickening around him, and from their magnitude withdrew his thoughts from what now became a minor consideration. A few ineffectual attempts at further negociation convinced him that all hope with Pius was at an end; and, on Jan. 22d, 1814, the order was issued for the immediate return of his holiness to Rome. Refused the miserable indulgence of the company of even a single cardinal, and attended solely by Monsignor Bertazzoli, he set out on the following morning, the 23d. His journey was several times interrupted, but everywhere he was hailed by the people with the same enthusiasm which they displayed on occasion of his former visits. Adversity had not hardened his heart, nor embittered his naturally forgiving disposition. The following scene at Cesena, his native city, is strongly characteristic of a Christian spirit, trained in the purifying school of adversity:—

“ King Joachim Murat demanded to present his homage to Pius VII, and was instantly admitted to audience with his holiness. After the first compliments, Joachim signified that he was ignorant of the object of the pope's journey.

" ' I am going to Rome,' said his holiness; ' is it possible you can be ignorant of it ?'

" ' Has your holiness, then, determined to go to Rome ?'

" ' What can be more natural ?' replied Pius.

" ' But does your holiness intend to return, despite of the Romans ?'

" ' I do not comprehend you,' replied the pope.

" ' The chief nobility of Rome, and the rich commoners,' said Murat, ' have prayed me to present to the allies a memorial, with their signatures, demanding that, henceforward, they should not be governed save by a secular prince. Here is the memorial. I have sent a copy of it to Vienna ; but I retain the original, which I submit to your holiness, in order that you may see the signatures.'

" At these words, Pius took the memorial from Joachim's hand ; and, without reading, without even glancing at it, flung it into the fire, where it was instantly consumed. ' Now, at least,' said he, ' there is no obstacle to our going to Rome.'

" Thus, without severity, and without anger, without even a tone of insult, he took leave of the man, who, in 1809, had sent troops from Naples to secure his own abduction." — vol. ii. pp. 372-3.

In the same spirit of Christian forgiveness, he received with the most marked kindness, Madame Letitia, and Cardinal Fesch, the mother and uncle of his persecutor. When the latter was announced, " Let him come," said he, " I still see his vicars-general advancing to meet me at Grenoble : Pius VII can never forget the tone of courage in which he administered the oath of Pius IV."

On May 24th, 1814, after an absence of nearly five years, Pius entered Rome in triumph, amid the joyful enthusiasm of his subjects ; the presence of their venerable prince, and, still more, his noble reply to Murat, having extinguished the last spark of revolutionary feeling. Scarce was he re-established, when, in the cares of office, he began to forget the privations of the past. Louis XVIII, immediately upon his accession, accredited an ambassador to Rome, to arrange the entangled ecclesiastical affairs of France. The surreptitious concordat of 1813 was instantly annulled, or rather disclaimed by either party ; but the further negotiations had made little progress, when they were broken off by the memorable hundred days. The movements of Murat in Italy made it not unlikely that Rome might again become the seat of war. It was deemed advisable that Pius should leave the city. He retired to Leghorn, and thence, by sea, to Genoa, where he remained till the field of Waterloo decided for ever the fate of him, who, during the latter days of his power, had so long troubled the peace of the Church.

From this third return of Pius, his history possesses but little of that holy romance, if the phrase be allowable, which characterises his early reign. But if the historian turn with greater interest to the striking and varied scenes of the former period, the useful and lasting, though silent, labours of the latter will be dearer to the friend of morality and religion. The unostentatious task of reconstructing what had fallen through the neglect, or sunk under the violence, of the revolutionary times, possesses a history peculiarly its own : it is written in the triumphs, slow but secure, of religion and morality throughout Europe. The altar re-devoted to its holy purposes, education revived and consecrated by its connexion with religion, the religious orders devoted to its diffusion, and to the other works of charity and peace, re-established and protected ; these are monuments which will live to record the closing transactions of the reign of Pius VII, when, if that time shall ever come, the page of history shall have ceased to speak ! No summary could comprise them all. We can but refer to the over-flowing pages of M. Artaud for details.

By the bull, *Solicitudo omnium Ecclesiarum*, the Society of the Jesuits, partially restored in 1801, was fully re-established throughout the Church. The ecclesiastical affairs of Italy were reorganized, and negotiations commenced for a new concordat with France, which should raise religion from its prostrate and dependent condition. Meantime the untiring zeal of Consalvi was directed to the political affairs of Rome. Besides Ancona, Benevento, and Ponte Corvo, he procured from the allies the restoration of the three legations, Bologna, Ravenna, and Ferrara, which had been alienated by the treaty of Tolentino. The prudent economy which marked his early administration was resumed ; every means was employed to lighten the burdens of the people ; as well the most rigid frugality in the household expenditure of his holiness, as the most minute care of all that could tend to diminish the general amount of the state charges. A wise and paternal administration, the establishment of public works for the employment of the poor, and the careful reparation of the injuries which individuals or communities had sustained under the French rule, had the effect of restoring public credit, of reviving industry, and diffusing general contentment and tranquillity among the people.

At length, June 11, 1817, a new concordat with France was definitively arranged. After many delays, however, it was found impossible to enforce its provisions. Not long after, August 9, a similar concordat was concluded with the king of

Sardinia; and, in the commencement of the following year, with Naples; as also with Russia, for the Polish Catholic subjects. For these, however, and the concordats with the Protestant princes of Germany, we must refer to Chevalier Artaud's work.\*

But the infirmities of age, and the trials to which, even from his elevation to the episcopacy, he had been exposed, began at length to tell upon a constitution naturally strong, and a spirit gifted with no ordinary powers of endurance. In 1817, the symptoms of breaking health began to create considerable alarm, which was increased by a dangerous fall on the 26th of June, in that year. But for a long time he rallied; and, during the two following years, continued to enjoy tolerable health. As if it were fated that no portion of his life should be exempt from those vicissitudes of which his earlier years were so fertile, the successful outbreak at Naples, 1820, filled Rome with such terrors, that preparations were made to remove the pope to Civita Vecchia. But his last days were spared this new exile; and he was permitted, what had been denied to his unhappy predecessor, to die in peace in the city of the apostles. In the April of 1822, a fall, similar to that which had occurred five years before, would, it was feared, have been attended with more fatal results. But its effects passed away after a few days; and, during that year, the pope's health, though infirm, was not such as to prevent his ordinary attention to business. The indefatigable Cardinal Consalvi, who was himself rapidly sinking, was every day carried into the pope's apartments, where they continued to transact business for several hours. In a consistory, March 10, 1823, the pope created ten cardinals, and on May 16th, M. de la Fare was raised to the same dignity; an appointment memorable as having been announced by Pius on the 14th, in a letter to Louis XVIII, the last he ever penned. The signature, "PIUS PP. VII," with the exception of the last letters, which are almost illegible, is written with the usual firmness of hand.

"On the sixth of July, the holy father had gone out in a carriage, and had even taken a little walking exercise. In the evening he dismissed his attendants, and afterwards conversed for a time with his auditor. His holiness then remained alone, notwithstanding the recommendation of Cardinal Consalvi, who besought the attendants never

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\* The recent ecclesiastical transactions in Germany render these concordats very interesting. For the German concordats see Scheill's edition of Schenkl's "Institutiones Juris Ecclesiastici," i. pp. 225-360; and for those of the Protestant states see "Die Neuesten Grundlagen," pp. 392-400, and "Organon: oder Kirchliche Verfassungswesen, der Katholiken in Deutschland," pp. 207-242.

to leave their master without some one at his side. This evening he attempted to rise from his seat, resting one hand upon a bureau, and seeking with the other a support from the cord attached to the wall, and intended for this purpose ; but, having risen with difficulty, the holy father was unable to reach the cord, and fell upon the marble floor, between the table and the elbow chair. His head did not reach the ground ; the left side door sustained the entire weight of the fall. They ran in at his cries, placed him upon the bed, and, at the first visit, the surgeons pronounced that the socket of the thigh-bone was fractured. During the night the patient was restless, but without fever. This accident took place on the anniversary of the fatal sixth of July 1809. The surgeons ordered that the state of the fracture should be concealed from the patient ; nevertheless he himself asked for the *viaticum*. It was after this ceremony that, being fatigued by the attentions of Cardinal Bertazzoli, he used these remarkable words, ‘*Andate : voi siete veramente un pio seccatore !*’ It was, indeed, indiscreet to think of counselling more piety, greater resignation, to the most pious, the most resigned of men....

“ The patient was sufficiently tranquil on the 18th (August) ; but on the 19th the most alarming symptoms appeared : the pope pronounced vaguely the words *Savona* and *Fontainebleau* ; his voice soon altered, and from the sound of some Latin words they knew that he was constantly in prayer. The churches were thronged with pious persons ; one universal feeling of regret reigned everywhere. There was no appearance of any other feeling but that of grief. In the evening it was no longer possible for the patient to take the slightest nourishment ; and, on the 20th August, at five o'clock in the morning, this life, so pure, so wise, so courageous under every difficulty, was extinguished.”—vol. ii. pp. 600-5.

Thus died Pius VII, aged eighty-one years and six days, after a reign of twenty-three years five months and six days ; one of the most eventful which the Christian Church has ever seen. We may return at some convenient time to the history of particular characters and epochs in this attractive period ; but the brief outline which we have given, partly from Chevalier Artaud’s admirable work, partly also from sources less easily accessible, will enable the reader to estimate sufficiently its general interest. In some particulars we doubt not the English reader will be disappointed : he will look in vain for the memorable discussion of the veto, to him of such interest as a national question. He may conceive, on the other hand, that an undue share of attention is given to the affairs of France. But it is fair to remember, that, as in politics and war, so also in religion, France was the great theatre to which every eye was turned ; the centre from which, for good or for evil, the fortunes of the fairest portion of Europe emanated : nor could the biographer of Pius be supposed to have executed

his task with fidelity, if he did not ample and ungrudging justice to that subject, which, even amid the indignities of his exile, was ever present to his heart, and to which the greatest labours of his pontificate were directed.

But it is not in its details of individuals or of countries, engrossingly interesting as they are, that the philosophical student of history will consider the reign of Pius VII; not as it regards France, or Italy, or England, or Ireland; but as forming an integral portion of the universal annals of the human race. And what a portion! Nearly half a century has now elapsed since, by the choice of an exiled and mutilated conclave, he was called to the precarious occupancy of the tottering—and to human eyes, fallen—chair of Peter. What a wondrous volume of instruction does the interval present! In the ordinary course of mortal things all the characters have changed upon the scene. The persecutor and the persecuted have been called to their account; the tyrant, with him whom he made his slave! The infidel and anti-social republic is blotted from among the nations; the mighty empire is numbered among the things of the past. France, the self-constituted arbitress of the fortunes of Rome, has taken upon herself new and varied forms, which a breath may again dissolve into the wild elements of which they are fashioned! All has changed around! But Rome—eternal Rome—

“*Tal è, qual era, quando fu stabilita*”—

the same upon the day on which the murdered Braschi perished in a wretched exile, and on that on which his courted successor entered in triumph to resume his throne! the same amid the persecutions of Savona and the lavished honours of Fontainebleau!—maintaining ever that mysterious pre-eminence which the common policy of all her enemies would seek to overthrow!

“*Sedet eternumque sedebit!*”

Well was it written by the Protestant Hurter, when, with the map of history unrolled before his gifted eye, he contemplated this moral miracle of immutability: “When we look back upon past ages, and behold how the papacy has outlived all other institutions, how it has witnessed the rise and wane of so many states—itself, amid the endless fluctuations of human things, preserving and asserting the selfsame unchangeable spirit, can we wonder that many look to it as to that Rock which rears itself unshaken amid the beating surges of time!”

ART. III.—*Introduction to the Literature of Europe in the Fifteenth, Sixteenth, and Seventeenth Centuries.* By Henry Hallam, F.R.A.S., Corresponding Member of the Academy of Moral and Political Sciences in the French Institute. London : 1837.

THE history of the literature of any given age, comprises necessarily a history of the human mind during that period. It is therefore by no means sufficient to array in chronological order the various literary and scientific productions which have illustrated it; the reader requires some more rational method than an arbitrary division of time. He requires something continuous, by which he may be able to thread the complicated sinuosities of this inextricable labyrinth. Without such a guide, it becomes almost impossible to impress upon the memory the order of succession, much less the moral dependance of those innumerable facts which constitute the materials of such a history.

There can be no doubt, that, in the history of the progress of the human mind, there exists a certain logical unity, which the very terms—*the human mind*, and *humanity*, themselves imply. In order, then, to seize that unity, and to employ it as the basis of a method, it is necessary to have some fixed system of philosophy, by the aid of which, this multifarious and chaotic matter may be reduced to order, and arranged in one vast and comprehensive synthesis. Such system can, according to our views, be no other than the Christian philosophy, by which we of course understand, that Christianity which is complete in its details, and possessed of a sufficient sanction to satisfy the understanding; in a word, that which is based upon Catholic tradition and supported by the authority of the Church.

There is perhaps something odious, or, to say the least of it, something which appears wanting in that urbanity which should ever characterize the intercourse of men of education, in dragging for ever before the public, the distinctions of *Catholic* and *Protestant*; for the angry cavillings of three centuries have communicated to those terms an irritating quality which is anything, but favourable to the calm investigation of truth. We should prefer on all occasions, were the thing in itself possible, entrenching ourselves in some more comprehensive generality, which might exclude all such invidious distinctions. Both Catholics and Protestants are alike members of that universal family, which has one and the same

origin, and over which a benevolent Creator extends with an impartial hand his paternal solicitude; and, as far as regards the more numerous body of our readers, are we not all the common offspring of the same great and generous people? We avow it openly, we consider life as too short and too thickly beset with sorrows, to afford us either time or fitting opportunity to indulge those angry feelings, to which harsh recrimination gives birth; and therefore gladly would we have avoided, upon the present occasion, the introduction of any such distinctions; and the more particularly so, as the work before us is neither political nor theological, but purely of a literary character; but we feel, at the very outset, that in so doing, we should not only be pushing the spirit of forbearance to the very limits of the ridiculous; we should moreover deprive ourselves of the opportunity of taking a just and comprehensive view of the subject before us; for the literature of a people, or of an epoch, can never be separated from the history of their philosophical and religious opinions.

The simple circumstance of Mr. Hallam's having comprised the sixteenth century in the period which he has chosen for his literary history, would alone have forced upon us those matters which separate the Catholic and the Protestant; for how are we to pass over the principal feature of its history, that *Reformation*, which, upon the one hand is regarded as an emancipation of the human mind from antiquated errors, and on the other, as an emancipation—we have no wish to quarrel with a word—but an emancipation from those salutary restraints, without which, we fall into an interminable series of errors, in philosophy, in religion, in social polity, and even in literature itself. But this is not the sole motive which has guided us; we shall have occasion to point out the frequent failures of this very learned and elaborate work, which can only be ascribed to the circumstance of its being written in a *Protestant spirit*. Not that we intend by any means to insinuate that this work is written in a spirit particularly hostile to Catholics, for such is by no means the case. Mr. Hallam is evidently a man of too great a mind, to allow himself to be carried away by the petulant calumnies of a sect; he is however a Protestant, and apparently a Protestant *upon principle*, and, as such, is entitled to our most unqualified respect: he may have taken from time to time a hasty—perhaps a partial view of certain controverted questions; but we are not of the number of those who require perfection in any human production; we pass lightly over the faults of others, in order that our own

may meet with a similar indulgence. What we mean here by a *Protestant spirit*, is, the undue preponderance of a method, which not only accords an exaggerated importance to the process of analysis, but which may be said to exclude entirely the no less necessary process of synthesis; without which, the former is but labour lost, as it can never lead to any useful result. The only philosophical result of an exclusive use of the process of analysis, is that form of scepticism, which, if carried out into its logical consequences, becomes in its turn dogmatical, by asserting its own exclusive superiority, and by denying the existence of any contrary theory.

It appears, however, to us, that no man who has observed the course of human events with a certain degree of attention, can have failed to remark a certain fixed element, which, in every age, pervading the institutions, the habits, and the literature of various nations, serves as it were to establish the genera of the moral world, and render a classification possible. This harmony, as all harmony in general, implies a certain fixed and immutable unity, around which, that which is various and contingent, adapts itself, according to some general law. In the history of mankind, whether we consider it in its collective form, under the general title of *humanity*, or whether we select from the whole any particular people, we shall find that this centre of the moral world, is no other than the revealed will of God; for at the origin of every people who have any pretension to the possession of their history, we find, under some form or other, a revelation, or religion of Divine origin. Without the lamentable lessons of experience, we should then be inclined to doubt the possibility of error, in the presence of a formal manifestation of truth. When, for instance, in the physical world, we have once discovered the will of its divine Creator, or in other words, the laws which govern its phenomena—where is the man who is rash enough to strive against unlimited power? Yet in the moral world, we see men constantly setting at defiance its fundamental laws, and then complaining of that disorder, which is the sole fruit of their own perversity. Has he who conceals fire in his bosom, a right to be astonished that it should consume him? or he who abandons his field without culture, to complain that it produces only thorns and briars?

Our search after the cause of this apparent anomaly, will not be long; it is to be found in that blindness and perversity of the human will, the result of a primitive fault, the history of which stands inscribed in the annals of every people.

This, then, furnishes the second term of the great moral problem of man's perfectibility. On the one hand, the just will of God, and on the other hand the perverse will of man ; and between these two extreme terms and their mutual modifications, lie all the contingencies of man's earthly course, as an individual, or as forming a constituent part of the body-politic. This important distinction of the two adverse principles which preside over the phenomena of the moral world, is familiar to every one who has been initiated into the Christian philosophy. In the individual, it is the never ceasing struggle of the flesh and of the spirit ; and in society, the conflict of the wisdom of the cross, and the wisdom of the world—the former accepting man's position in the present state of things, as something transitory and incomplete ; the latter persisting, in defiance alike both of facts and of principles, in the wild attempt of realizing the stupendous projects of the human mind, within the narrow limits of time and space. Time ! so short for the most favoured. Space ! so confined as a sphere of action for the most powerful.

In proportion, therefore, as one or other of these two principles, (to which we may very aptly apply the general terms of *truth* and *error*), in proportion, then, as truth or error predominates over the influential part of a nation, in the same proportion we shall find, not only their social institutions and their general habits, but even their literature partaking of that influence. To establish the truth of this theory, it would be sufficient to cast a rapid glance on the history of mankind in any age and in any country. If we select as an example, that vast extent of territory which is subject to the Hindoos, we shall find the general form of government to be a sanguinary despotism, and their habits those of men writhing under the stern grasp of the iron hand of fate ; whereas their literature, which at the present day is reduced to a blank, bears ample traces of that indefinite pantheism which is the basis of their religious faith. And as pantheism, paganism, and atheism, are only separated from each other by a subtle logical distinction, being *practically* one and the same thing, the two grand philosophical sects of the pagan world are found reproduced among the Hindoos ; those who term themselves *orthodox* bearing a close resemblance to the Stoics, professing, by an illusion of pride, to set themselves above the reach of good or of evil ; whilst on the other hand, a no less numerous portion of their religious adepts have adopted those tenets which distinguished the followers of Epicurus, and seek for the supreme good in an unlimited enjoyment of sensual pleasure.

The more familiar history of degenerate Rome, affords perhaps a still more striking illustration. In the latter days of the Empire, a frantic love of sensual pleasure seems to have taken possession of all classes of society. The actual power of the state, which was in fact vested in the praetorian guards, is sold to the highest bidder; and the sword of Divine justice, and the supreme dignity of the commonwealth, are confided to him who furnishes most liberally the means of prolonging their riotous debauch. What, then, were the habits of the people, and what the fate of literature under the influence of such a state of things? To the former of these questions we reply by the favourite cry of the populace in those days—*panem et circenses!* which shews, that the sanguinary pleasures of the circus had become for them as necessary as their daily food. In literature, which was then at its lowest ebb, we find the minor wits of that day imitating the worst defects of Horace, of Ovid, and of Juvenal, whose highly polished verses too often call the blush of indignation to a Christian cheek.

The application of this theory to the present state of literature in France, in Germany, and even in this country, would be highly interesting, but would lead us too far from the matter before us. We have already said sufficient to prove that the literature and the religious opinions of a nation, or of an epoch, are most intimately connected, and have therefore fully justified the line which we intend to adopt in reviewing Mr. Hallam's work. We shall merely add to what we have already advanced, an observation well worthy of the reader's serious attention, which is this: that the principal monuments of ancient and of modern literature, the *Iliad* and the *Divina Comedia*, which were both the products of ages of faith, are both eminently religious; and it is a circumstance not a little curious, that the progress of a different principle should have produced a similar effect both in the pagan world and in Christendom—Tasso standing exactly in the same relation to Dante, as Virgil to Homer. Tasso and Virgil are both poets of nature. Homer and Dante are the poets of tradition, and in both poems the form is in harmony with the matter.

The total absence of any general theory of the history of literature appears to us then, we avow, a serious defect in the work before us; but it is not the only one with which we have to reproach it. The division of the matter into eight arbitrary periods, which have no connexion whatever with the principal vicissitudes of the subject, is altogether faulty. Those vicissitudes have been sufficiently marked, to have afforded a natural historical division, if the author thought

it more prudent to avoid all philosophical distinctions. The splendid galaxy of talent by which certain periods have been illustrated, offered him a sure basis upon which to construct a simple and lucid method. The most celebrated period of our own national literature, when the modern drama was brought forth into being by the immortal genius of Shakspeare, naturally presents itself to the mind of the reader ; nor was the age of Elizabeth less illustrious by its poets and prose writers of every description. The names of Spenser, of Lord Bacon, of Hooker, and of Archbishop Leighton, would alone suffice to raise it to the dignity of a literary epoch. The ages of Lorenzo de' Medici, and of Lewis the Fourteenth, are each of them equally celebrated in their way, particularly the latter, which, independently of the very remarkable religious reaction which distinguishes it, is no less celebrated in a purely literary point of view.

Mr. Hallam's first division comprises the whole of that portion of the middle ages which is anterior to the year 1400, the period at which his work professedly begins. This retrospective view of the state of learning in the middle ages, is of the highest importance to a just appreciation of the subject before us ; the more particularly so, as the year 1400 does not constitute a literary epoch, the beginning of the fifteenth century being, in a literary point of view, merely a continuation of the preceding century, in which the genius of Dante had already given a certain degree of fixity to the language in which he had written his immortal poem.

The author professes, it is true, to give only a rapid sketch of this period ; but however rapid, it is necessary that *all* the causes which had contributed to the progress of literature, should be fairly stated and justly appreciated. The reader will do well to bear in mind the very comprehensive sense in which Mr. Hallam employs the word *literature*, not only as comprising poetry and the *belles lettres*, but also the more grave products of the human mind, such as theology, jurisprudence, philosophy, and the sciences.

The rapid decline of learning in the sixth century is a circumstance, which finds its natural explanation in the political state of the Roman empire at that period. It was only after several ages of the most distressing vicissitudes, that the awful pollutions of the pagan world were washed away in torrents of human blood ; and a certain gleam of social order beamed forth upon those nations, which in the eighth century began to rise up out of the general chaos. Charlemagne appears at

this period, not only as a legislator, but also as the special protector of letters and of learned men; and particularly of that holy religion, which he always regarded as the principal source of social order, and of the temporal prosperity of his people. Mr. Hallam does not perhaps attach sufficient importance to this first renovation of letters, which took place under favour of the new temporal and ecclesiastical institutions formed by the care of this great monarch. Charlemagne was also himself a successful cultivator of polite learning, notwithstanding the rudeness of the age in which he lived; and that magnificent hymn of the Catholic liturgy, the *Veni Creator*, is generally attributed to his pen.

It is not to be expected that Mr. Hallam should have justly appreciated the literary influence of the clergy. He admits, however, that, during that most disturbed period, which may very properly be designated as the *dark ages*, they kept flowing a slender but living stream of knowledge. It may be easily imagined, that men whose residences were constantly pillaged—whose libraries were destroyed, and whose persons were frequently exposed to the greatest dangers;—it may, we say, easily be supposed, that these men, with whom the valuable deposit of literary tradition rested, should have made little progress in profane learning during such a period, the sacred character with which they were invested, engaging them rather to occupy themselves with more serious matters. Yet we should do wrong to suppose that the human mind was left without a certain degree of culture, although this period is particularly barren as far as regards its authors. There can be no doubt that oral teaching, which was the most favourite form in all ecclesiastical establishments, exercised its just influence in the propagation of knowledge; and that the precious deposit of the learning of past ages was handed down from master to disciple, in those short moments of repose which the troubled character of the times still allowed. The sublime matters which constitute the general doctrine of the Church, are in themselves calculated to give an elevated tone to the mind, and to develope the highest powers, not only of the imagination, but also of the understanding. In fact, we find this sacred fire rapidly bursting forth into a brilliant flame, when no longer compressed by exterior circumstances. As early as the beginning of the twelfth century, the institution of universities, accompanied by the cultivation of the modern languages, and the multiplication of books, seem to have exercised an immense influence. To these causes must

be added the investigation of the Roman law, and a return to the study of the Latin language in its ancient models of purity. The influence of all these causes is admitted by Mr. Hallam (p. 15.) We are, however, not a little surprised to find, that, in enumerating the principal causes of the revival of letters, he has totally omitted all mention of one of the most important—the influence of the literature of the Arabians on that of modern Europe. Whilst Europe was plunged in that intellectual lethargy, which, as we have already observed, was the result of the united horrors of war, of pestilence, and of famine, the more favoured regions of the East, together with a considerable portion of the south of Europe, then under the flourishing sceptre of the successors of Mahomet, exhibited a very different aspect. The Caliphs had at that time submitted to their victorious sceptre the whole of Persia—the land of the ancient Magi, and Chaldea, which may be regarded as the most ancient fountain of knowledge. To these must be added Egypt, at one time the sole refuge of science; also that part of Asia Minor where poetry and the belles lettres had received their first developement; and Africa, the land of burning eloquence and of subtle distinctions. The Arabian genius appears as it were a compound of the different qualities which distinguished the various portions of that vast empire over which it reigned.

But the more immediate point of contact between the literature of the Arabians and that of western Europe, appears to have been those celebrated universities which were established in Spain under the patronage of the Moors, after Abderama the First had finally detached it from the empire of the Abbassides, and erected it into a separate monarchy. This prince, who was the contemporary of Charlemagne, was like him a great patron of letters. The colleges and universities founded by him and by his successors, were frequented by all those who were desirous of making a rapid progress in science and in philosophy. One of the most distinguished men of his day, Gerbert, appears to have studied both at Seville and at Cordova, from whence he brought back so large a stock of Arabian science, that after having successively excited the admiration of France and of Italy, he was ultimately raised to the supreme honours of the ecclesiastical hierarchy, under the title of Sylvester the Second. A great many other persons, particularly the renovators of mathematical science in France, in Italy, and even in this country, during the eleventh century, spent a considerable time in the universities of the

south of Spain. Campanus de Novara, Gerard de Carmona, Atelard, Daniel Morley, and several others, confess, in their respective writings, that for all which they then lay before the public, they are indebted to the Arabian doctors.

In presence of these important facts, we have a right, we think, to express our surprise, that a man of Mr. Hallam's acute penetration and comprehensive mind, should have passed over in silence this important feature in the history of modern literature.

The progress of the scholastic philosophy in the twelfth century, and the increasing importance of the University of Paris, seem to be intimately connected, for it was the scholastic philosophy which formed the principal basis of the method employed in that celebrated seat of learning. Rosceline of Compeigne may be regarded as its founder : he it was who revived the famous question as to the reality of universal ideas, and laid the foundation of those abstruse and animated discussions, which so long agitated the learned world. It is not certain that Rosceline ever taught publicly at Paris, but there is no doubt that the rapid increase of students about this time is to be ascribed to the influence of his theories. As early as 1109, William de Champeaux opened a regular school of logic ; and a few years later, the splendid talents and bold innovations of Peter Abelard confirmed the rising reputation of this new establishment. Mr. Hallam thus speaks of this extraordinary man :—

" But the reputation of William de Champeaux was soon eclipsed, and his hearers drawn away by a more potent magician, Peter Abelard, who taught in the schools of Paris in the second decad of the twelfth century. Wherever Abelard retired, his fame and his disciples followed him ; in the solitary walls of the Paraclete, as in the thronged streets of the capital. And the impulse given was so powerful, the fascination of a science which now appears arid and unproductive, was so intense, that from this time, for many generations, it continued to engage the most intelligent and active minds. Paris, about the middle of the twelfth century, in the words of the Benedictines of St. Maur, to whom we owe the *Histoire Littéraire de la France*, was another Athens ; the number of students (hyperbolically speaking, as we presume), exceeding that of the citizens." —vol. i. pp. 19, 20

When we consider the influence of such an institution upon the progress of the human mind, we must be prepared to look around us for its fruits. That the scholastic philosophy occasionally degenerated into an exaggerated abuse of subtle distinctions, we shall not attempt to deny ; yet, upon the

whole, it must be regarded as a stupendous monument of the acuteness of the intellectual faculty. It is a very easy matter to laugh at its *quiddities* and its *entities*, and to treat them, with Hudibras, as the *vapourish ghosts of defunct bodies*; but men whose habits of thought enable them to seize upon, and to understand that almost infinite *variety* by which the *unity* of being is manifest and rendered intelligible, will view it with a very different sentiment. The scholastic philosophy seems to have a sort of natural connexion with the study of theology; because in that grave age in which it shone forth in its greatest splendour, the origin, the essence, and the end of things, was the subject which principally fixed the attention of the learned; and of the former, as well as of the latter, philosophy, unaided by theology, can teach us nothing. Moreover, its greatest adepts were churchmen. At the head of these we must place St. Thomas Aquinas, whose extraordinary genius was not only appreciated in his own day, but is not less an object of admiration in the present age. His numerous works, particularly his *Summa Theologicae*, enable us to form a just estimate of the number and variety of those grave questions, which at this period occupied the human intelligence. What may have been the real measure of its *progress* since that period, we may not now examine. The physical sciences were no doubt at a low ebb; and it was only in the next century, that philological learning began to be generally appreciated. But physics and philology are not knowledge—they are merely instruments of knowledge.

St. Thomas Aquinas, and St. Bonaventura, the two great lights of the age in which they lived, took their Doctor's degree in the University of Paris, in the year 1257. This university had then already existed in increasing splendour for above a century; and at the beginning of the next century we find it illustrated by the presence of another great man, whose influence upon the history of modern literature, stands forth without a rival. The reader has already, without doubt, anticipated our intention, by naming the author of that unrivalled poem, the *Divina Commedia*.

Mr. Hallam, although he enters at some length into the history of the formation of the modern languages, by a corruption of the colloquial Latin of the lower empire, dismisses, without notice, the author of the first great literary work in that idiom; and he adduces as a reason, (after terming him, conjointly with Petrarch, the morning-star of modern literature), his more remote connexion with the fifteenth century.

No doubt the fifteenth century had its own peculiar elements of progress; but at the same time there can be no less doubt, that the literature of the fifteenth century was, to a certain extent, a continuation of that which immediately preceded it; and the great, the all-absorbing literary object of the fourteenth century was the poem of Dante;—so much so, that in Italy, which now becomes the centre of learning, special professorships were founded at Florence and at Bologna, for the purpose of explaining his works; and in the former of those cities, this important task was confided to Boccaccio, the celebrated author of the *Decameron*—the creator of a new style in prose writing, as Dante had been in poetry.

These two names form a special epoch in the history of modern literature, inasmuch as each may be assumed as the type of a different principle presiding over its destiny,—the very origin and temper of the two men, as well as the character of their respective works, marking the particular mission of each. Dante, a man of honourable family, and carefully brought up in those principles which are the only permanent source of noble and elevated feelings;—Boccaccio, the unfortunate offspring of the guilty pleasures of a Florentine merchant. What, then, must we think of the moral influence of such an origin? No mother to guide his infant mind in the paths of virtue and of piety—no example which might serve as the model of his future life. In fact, if we compare the early life of the great poet with that of his biographer and commentator, we shall see the former being deprived of the dearest object of his affections, idealizing the passion of love, and drawing from it a source of the highest poetical inspiration. Beatrix appears in the *Divina Commedia* as a being of angelic purity, and her presence throws a sort of tender melancholy over the whole poem. Beatrix was the tutelary genius of our poet. Brought up together from their tenderest years, her simple beauty had probably first developed those poetical feelings which were destined at a later period to burst forth with so much splendour; and when Beatrix was no longer an inhabitant of that world to which her presence communicated the principal charm, Dante, stretching the poet's gaze beyond its confined limits, sought out those eternal models of unfading beauty which are beyond the reach of death and of sorrow.

Boccaccio also, as is the case with most men endowed with great powers of imagination, was highly sensible to the charm of female beauty; but his love was the wild tumult of sensual

voluptuousness, and wholly unredeemed by those higher feelings which give a certain dignity to things in themselves inferior. His Fiametta has nothing of that chaste reserve, or of that virginal purity, which constitutes woman's principal charm: like himself, the offspring of an unlawful passion, true to her baser origin, although of royal blood, by love she understood merely that momentary delirium which has its seat in the senses, but which touches not the heart. Boccaccio, under the influence of such a woman, abandoned himself to a series of excesses, which compromised not only his health and his reputation, but even reduced him to a state of shameful poverty, from which he was extricated by the generous interference of Petrarch.

We have already said enough to establish the moral value of these two men, and if their works had never been handed down to posterity, it would have been no difficult matter to have established their respective characters;—but the *Divina Commedia* and the *Decameron* are in everybody's hand. Our principal object, therefore, in establishing this parallel, is to signalize the appearance of that new element which becomes so important a feature in the history of modern literature, but for which we are at a loss to find an aptly distinctive epithet. We are unwilling to call it *the Protestant spirit*, although we have the most profound conviction, that from that source alone sprung the religious troubles of the sixteenth century. Its device is the “*non serviam*” of the arch-apostate, and all that is venerable, all that opposes a barrier to its licentious extravagance, is the object of its hatred or its scorn. In the *Decameron* not only the sacred ministers of religion, but even its profoundest mysteries, are held up as a jest, whilst the gratifications of sensual pleasure are considered as the supreme good.

In modern literature, as in all things which belong to this passing world, we find the principle of its death coeval with its birth; the principle of error mingling itself immediately with that of truth; and the attempt to establish anything which may be called a history of modern literature, without pointing out this capital fact, appears to us perfectly fruitless. A chronological nomenclature of the principal authors of an epoch, has in our eyes no claim to that title; history, for us, consists not in a barren detail of events only, but moreover in a just appreciation of the causes which have produced them. Every period of civilization has, without doubt, its own peculiar literary form; as it has also its other divers forms of art. In the

fourteenth century not only literature, but sculpture, architecture, painting, and music, appear under a new form, which may be termed, very appropriately, the Christian form; inasmuch as they respectively sought the source of their inspiration in that sublime religion. We have, in a former number, pointed out the principal causes which modified the art of painting, in noticing the very remarkable work of Monsieur Rio upon Christian aesthetics, *De la Poésie Chrétienne dans son principe, dans sa matière et dans ses formes*. As it would be no difficult task to find one common principle affecting their development, so also may their decay be attributed to one and the same cause. But the cause of that decay, although one in its essence, is various in its form: its principal varieties consist in an undue preponderance of sensual over intellectual objects, and in an attempt to revive and apply the principles of pagan art to a state of things which reposes upon laws diametrically opposite. As Dante may be chosen as the type of the Christian form in literature, Boccaccio and Petrarch may be adopted as types of that modification which was destined to turn it into a false channel. With regard to Petrarch we shall say nothing of the spirit which reigns in those admirable sonnets, which have obtained for their author so high and so just a reputation. Laura was the wife of another; moreover it is well known that he had other illicit attachments, which were anything but platonic, as their consequences proved. What we have said of Boccaccio may be applied to Petrarch,—perhaps in a mitigated sense, for we do not think that he was ever a reckless libertine like the former. It is evident, indeed, that at the period when he published those sonnets, in which he celebrates his guilty passion, he had already adopted a more correct view of things. In the first, which appears to have been written after all the rest, and to be intended as a sort of preface, he offers the apology of his past errors, and tells us that he was at that period a very different man; and in speaking of those hopes and those fears, which form his principal theme, he terms them *le rare speranze, e'l raro dolore*. In the last stanza, in making allusion to that false spirit of the world which had seduced him, and which we lament to say gave an unfavourable direction to the influence which he was destined to exercise on his contemporaries and followers, we almost fancy that it is the graver genius of Dante, who tells us that all that the world most esteems is but an empty dream. It is, nevertheless, a lamentable feature in the history of modern litera-

ture, that Dante should have been closely followed by two men whose literary influence was so preponderant. Both Boccaccio and Petrarch were equally active in collecting the remains of pagan literature, which about this period began to be extracted from the dusty shelves upon which they had reposed unnoticed for several ages. The appreciation of the just influence of ancient upon modern literature, is a question too complicated, and of too delicate a nature, to be agitated here; but we believe that it is a fact, which no one will deny, that a servile imitation of the literature of the Greeks and of the Romans has, at different periods, exercised a most unfavourable influence upon the literature of modern times.

We may now safely pass on to the just appreciation of the development of modern literature, as we have established its true origin, and the causes which turned it from its natural channel. Dante, the poet of truth, of charity and of obedience, two things essentially connected in Christianity (*Ego mater pulchræ dilectionis et timoris.* Eccl. 24, v. 24); Boccaccio and Petrarch, in a philosophical sense, the apostles of error, setting up in the place of divine love the idol of profane love: the former in its common form of sensual pleasure, the latter in a form no less dangerous and far more insidious, having its seat in the mind and dissipating and corrupting all its powers. The debaucheries of Boccaccio found a term in the death or in the indifference of Fiametta; but Petrarch's more elevated passion survived the loss of its object for a quarter of a century; for one half of the period of his active life! To this we must add the corresponding spirit of temerity, of disobedience, and of scorn, which complete the moral antithesis;—so much for the *matter*; as for the *form*, the sudden irruption of pagan literature preventing the example of Dante from exercising that influence which it otherwise undoubtedly would have done.

It is by no means our intention to attempt a rigid application of the above literary theory, to the various authors whom Mr. Hallam passes in rapid review; it is sufficient for our purpose to have laid down a general principle, which will enable the reader not only to account for the present state of literature, but moreover to appreciate its numerous vicissitudes. Neither shall we attempt to follow the learned author step by step, as the very nature of the work, being itself only a general nomenclature, would render such an attempt fruitless. We shall therefore content ourselves with pointing out those more important productions and those peculiar circum-

stances, which have exercised a considerable influence over the destiny of literature—of philosophy—and of the sciences.

Mr. Hallam, after his introductory chapter on the general state of literature in the middle ages, down to the end of the fourteenth century, proceeds in the ensuing one to lay before the reader a general view of the state of literature in Europe, from 1400 to 1440. He here completes the general views of the preceding chapter, by giving the history of the revival of Grecian literature during the ninth, tenth, and eleventh centuries, and thence onward through the twelfth and thirteenth, down to its gradual extinction in the beginning of the fourteenth. Both Boccaccio and Petrarch then turned their attention to Greek, but the latter quickly abandoned it, either from its extreme difficulty, or for want of proper aid. Boccaccio, however, succeeded better, by the assistance of Leontius Pilatus, who made a prose translation of Homer for his particular use. His success was however but equivocal; and this is not to be wondered at, for, according to a passage in one of Petrarch's letters, there were not at that time above ten persons in the whole of Italy, who were capable of appreciating the beauties of the great Grecian poet. The very important influence which the revival of Greek literature has exercised in modern times, induces us to relate that interesting event in the author's own words:—

“ The true epoch of the revival of Greek literature in Italy, these attempts of Petrarch and Boccace, (Boccaccio), having produced no immediate effect, though they evidently must have excited a desire for learning, cannot be placed before the year 1395, when Emanuel Chrysoloras, previously known as an ambassador from Constantinople to the Western Powers, in order to solicit assistance against the Turks, was induced to return to Florence as public teacher of Greek. He passed from thence to various Italian Universities, and became the preceptor of several early Hellenists. The first, and perhaps the most eminent and useful of these, was Guarino Guarini of Verona, born in 1370. He acquired his knowledge of Greek under Chrysoloras at Constantinople, before the arrival of the latter in Italy. Guarino, upon his return, became professor of rhetoric, first at Venice, and other cities of Lombardy, then at Florence, and ultimately at Ferrara, where he closed a long life of unremitting and useful labour in 1460. John Aurispa of Sicily, came to the field rather later, but his labours were not less profitable. He brought back to Italy two hundred and thirty-eight manuscripts from Greece, about 1423, and thus put his country in possession of authors hardly known to her by name. Among these were Plato, Plotinus, Diodorus, Arrian, Dio Cassius, Strabo, Pindar, Callimachus, Appian. After teaching Greek at Bologna and Florence, Aurispa also ended a length of days under the pa-

tronage of the house of Este, at Ferrara. To these may be added, in the list of public instructors in Greek before 1440, Filelso, a man still more known by his virulent disputes with his contemporaries, than by his learning ; who, returning from Greece in 1427, laden with manuscripts, was not long afterwards appointed to the chair of rhetoric—that is, of Latin and Greek philology, at Florence ; and, according to his own account, excited the admiration of the whole city. But his vanity was excessive, and his contempt of others not less so. Poggio was one of his enemies ; and their language towards each other, is a noble specimen of the decency with which literary and personal quarrels were carried on. It has been observed, that Gianozzo Manetti, a contemporary scholar, is less known than others, chiefly because the mildness of his character spared him the altercations to which they owe a part of their celebrity.”—vol. i. p. 133.

Many of the most celebrated men of that day employed themselves in translating these newly acquired treasures of ancient literature, amongst whom Mr. Hallam particularly mentions Ambrogio Traversari, a Florentine monk of the order of Camaldoli, of whom he says : “ No one of that age has left a more respectable name for private worth : his epistles breathe a spirit of virtue—of kindness to his friends—and of zeal for learning.” This is one amongst numerous instances, in which the author of the work before us renders a just tribute of admiration to the virtues and high intellectual attainments of different members of the Catholic hierarchy. The general circulation of the authors above referred to must have exercised an important influence upon the history of literature at this period ; the writings of Plato alone, which had been only imperfectly known through the works of the early fathers, were sufficient to produce an important revolution in philosophical opinions, then almost exclusively under the influence of the method of Aristotle.

During the period now under notice, the gradual encroachments of the Turks upon the Grecian empire, drove many learned men into Italy, and confirmed this tendency towards the literature of ancient Greece ; and in the year 1438, Eugenius IV conceived the magnificent project of cementing this incipient union between the East and the West, by the re-establishment of Catholic unity—an event agreed upon in the general Council of Florence, by the highest authorities of the Greek Church ; the decree for which was, however, unfortunately never carried into execution, although signed by the principal prelates of the Greek as well as of the Latin Church.

Towards the end of this chapter, we find an allusion to that very important element of modern literature, the romances of

chivalry ; and Mr. Hallam seeks out the origin of that exaggerated gallantry towards the fair sex, which constitutes their principal feature. Without entering into an appreciation of the various causes by him assigned, we quite agree with him in thinking, that these works of the imagination may be considered as a sort of mirror of the times in which they appeared, or rather of those which immediately preceded them, whilst at the same time they exercised, in their turn, no inconsiderable influence upon those which immediately followed them.

The author concludes this chapter by a review of the state of *religious opinion* at this period, the intimate connexion of which with the history of literature he fully admits, not only as constituting one of its great branches, but also as exercising a powerful influence over almost every other ; and he asserts that the greater part of the literature of the middle ages, at least from the twelfth century, may be considered as artillery levelled against the clergy. This statement partakes of that spirit of exaggeration which characterizes his description of the unfortunate divisions existing between the secular and the regular clergy at this period, who were certainly occasionally arrayed against each other, and not unfrequently divided amongst themselves upon several questions of an irritating nature, but of secondary interest.

His view of the state of religious parties, we consider as radically defective. He notices the existence of three principal ones ; and we have nothing to object to this general division, which is quite sufficient for the exigencies of the subject. — First, the high Church party, who stood up vigorously for the prerogatives of the holy see, and which, like all other parties, occasionally allowed themselves to be carried away by too systematic a spirit. Mr. Hallam, in alluding to the authority of the Church, gives evident proof that he has never seriously considered that subject, or that he really does not understand the question at issue. What he means by *moral* and *theological* infallibility, we shall not pretend to determine ; and as for paramount authority in temporal affairs, if some over-zealous individuals may have thought proper to advance such a claim—such is not the Catholic doctrine. The infallibility which the Church claims, and without which Christianity itself falls prostrate before the efforts of human reason, is that by which she determines, without the possibility of error, the doctrine taught by her Divine founder. The second party was that which attempted to circumscribe the pre-

rogatives of the papal see, by certain reserves, supposed to be founded upon the privileges of the different national Churches submitted to its jurisdiction. In this party, better known in later times by the name of the *Gallican party*, (the Church of France having at length embodied its claims in a written form), Mr. Hallam includes, to our great astonishment, the mystical writers, such as St. Bonaventura, Tauler, and Thomas-à-Kempis, or the author, whoever he may be, of that admirable book which generally bears his name. The third party consisted of what he terms avowed or concealed heretics, some disciples of the older sectaries, some of Wickliffe or Huss, whom, however, he compliments upon their *piety*, which he says resembled that of Gerson, and Gerard Groot, but was rather more ripe for *complete reformation!*

Certain it is, that this latter party, which broke out into open violence nearly a century later, was already at this time extending its ramifications throughout Christendom, but particularly in Germany; and that important invention, which, towards the end of the fifteenth century, changed the aspect of the literary world, tended not a little to advance its doctrines.

The ensuing chapter brings us down to the end of the fifteenth century. The author, at its commencement, pays a just tribute of admiration to the munificence of Nicolas V, as a patron of letters and of learned men. He ascended the papal throne in 1447, and by him was founded the celebrated library of the Vatican, which at the period of his death, was considerably more rich than any other similar establishment,—consisting already of five thousand volumes. This chapter is divided into six decennial periods; the second of which is devoted to the revival of the Platonic philosophy, principally under the auspices of Cosmo de' Medici, and Cardinal Bessarion, who held an equal balance between the merits of Plato and of Aristotle, being a warm partizan of the former, but by no means blind to the merits of the latter, having given a translation of his *Metaphysics*. The latter part of this section is devoted to an account of the invention of printing; the author professedly avoiding to enter into the long and unsettled controversy which the origin of that art has furnished; and the ensuing section, which comprises the period between the years 1460 and 1470, is principally devoted to the progress of this important invention, and to the influence which it exercised upon the history of literature. In the following section, we are introduced to that splendid era of

letters, to which Lorenzo de' Medici, one of their chief patrons, has given his name. Under his fostering care, the study of the Platonic philosophy, which had been first patronized by Cosmo de' Medici, was brought to maturity. It is rarely, from the nature of his subject, that Mr. Hallam has an opportunity of abandoning himself to that eloquence of style, which forms one of the characteristics of his pen; Lorenzo de' Medici, and Florence, have however offered him a fitting theme, and he has not neglected to profit by it. The reader will probably partake of that feeling of astonishment, with which we read the splendid eulogium of the Catholic hierarchy contained in the following extract, and which we have taken the liberty of printing in Italics:—

“ His influence [Lorenzo de' Medici's] over literature, extended from 1470 to his death in 1492. Nor was mere philology the sole, or the leading pursuit to which so truly a noble mind accorded its encouragement. He sought in ancient learning something more elevated than the narrow though necessary researches of criticism. In a villa overhanging the towers of Florence, on the steep slope of that lofty hill, crowned by the mother city, the ancient Fiesole, in gardens which Tully might have envied, with Ficino, Landino, and Politian, at his side, he delighted his hours of leisure with the beautiful visions of Platonic philosophy, for which the summer stillness of an Italian sky appears the most congenial accompaniment.

“ Never could the sympathies of the soul with outward nature be more finely touched: never could more striking suggestions be presented to the philosopher and the statesman. Florence lay beneath them; not with all the magnificence which the later Medici have given her, but, thanks to the piety of former times, presenting almost as varied an outline to the sky. One man, the wonder of Cosmo's age, Brunelleschi, had crowned the beautiful city with the vast dome of its cathedral—a structure unthought of in Italy before, and rarely since surpassed. *It seemed, amidst clustering towers of inferior churches, an emblem of the Catholic hierarchy under its supreme head; like Rome itself, imposing, unbroken, unchangeable, radiating in equal expansion to every part of the earth, and directing its convergent curves to heaven.*”

Could the heart of the most fervent Catholic, who duly appreciates the salutary influence of a central and supreme authority, speak more to the purpose, more eloquently, or with deeper feeling? Our author thus continues:—

“ Round this (the cathedral) were numbered, at unequal heights, the baptistry, with gates worthy of Paradise; the tall and richly decorated belfry of Giotto; the church of the Carmine, with the frescos of Masaccio; those of Santa Maria Novella, beautiful as a bride; of Santa Croce, second only in magnificence to the cathedral; and of

St. Mark ; the San Spirito, another great monument of the genius of Brunelleschi ; the numerous convents which rose within the walls of Florence or were scattered immediately about them. From these the eye might turn to the trophies of a republican government, that was rapidly giving way before the citizen prince who now surveyed them ; the Palazzo Vecchio, in which the signiory of Florence held their councils, raised by the Guelf aristocracy, the exclusive, but not tyrannous, faction that long swayed the city ; or the new and unfinished palace, which Brunelleschi had designed for one of the Pitti family, before they fell, as others had already done, in the fruitless struggle against the house of Medici ; itself destined to become the abode of the victorious race, and to perpetuate, by retaining its name, the revolutions that had raised them to power."—vol. i. p. 244.

Had not our limits precluded the possibility of indulging ourselves in a lengthened extract, we should certainly have been inclined to continue this ; as it is, we must content ourselves with referring the reader to the book itself, where Mr. Hallam speaks, in the strain of a poet, of the effect which is produced upon the mind by looking down upon a great city in repose.

The history of the revival of the Platonic philosophy, leads the author to consider the general state of philosophical science at this period, and to pass in review the principal methods then in use. One of the most remarkable works which made its appearance at this time, was the *Theologica Platonica* of Marsilius Ficinus, a book which Mr. Hallam judges severely, as appealing rather to the imagination than to the understanding. It is, however, to be remarked, that in the writings of Plato we must look not only for a philosophical method, but more especially for a general system of ontology ; the result, to a certain degree, of his own transcendent genius, but for which he was principally indebted to an attentive study of those ancient traditions which he collected in his extensive travels in Egypt and in other countries. The very nature of the subject, particularly when thus treated, renders it impossible to avoid a certain vagueness, which other sciences very wisely repudiate, but which appears necessarily attached to things supersensual. Every method based upon rigorous definitions, is destined to stop short at the very elements of philosophical science ; and when we call to our aid the painful and elaborate process of induction, or the still more uncertain light of popular tradition, in traversing this *terra incognita* of transcendental science, we are unavoidably exposed to wander occasionally from the direct path of truth. Moreover, there is a certain vagueness in language, which

renders it almost impossible to seize exactly the idea of an ancient author, writing in a dead language upon abstract matters; upon that account, many of the principal postulata in the system of Plato and of his disciples, may be said to be wanting in that rigorous exactness which the understanding requires, and in that respect may be said to be addressed rather to the imagination. But shall we, therefore, pass them over as unworthy of notice, since they are calculated to raise the affections towards things in themselves most excellent? Is man a being so complete in his nature, as to feel himself justified in rejecting all knowledge which is partial and obscure? In the *Theologica Platonica*, Marsilius Ficinus gives not only a rapid sketch of the philosophy of Plato—he, moreover, attempts to point out its analogies with divine truth in certain matters; and whenever he goes beyond the limits of the orthodox theology, which has the sanction of Catholic authority, he speaks only as a private individual, who bases his opinion upon what he considers as a sufficient philosophical probability. Mr. Hallam, in the following passage, speaks as a man who attaches a due importance to the value of speculative science:—

“The thirst for hidden knowledge, by which man is distinguished from brutes, and the superior races of men from savage tribes, burns generally with more intensest in proportion as the subject is less definitely comprehensible, and the means of certainty less attainable. Even our own interest in things beyond the sensible world, does not appear to be the primary or chief source of the desire we feel to be acquainted with them; it is the pleasure of belief itself, of associating the conviction of reality with ideas not presented by sense; it is sometimes the necessity of satisfying a restless spirit, that first excites our endeavours to withdraw the veil that conceals the mystery of their being. The few great truths in religion that reason discovers, or that an explicit revelation deigns to communicate, sufficient as they may be for our practical good, have proved to fall very short of the ambitious curiosity of man. They leave so much imperfectly known, so much wholly unexplored, that in all ages he has never been content without trying some method of filling up the void. These methods have often led him to folly, and weakness, and crime. Yet, as those who want the human passions, in their excess the great fountains of evil, seem maimed in their nature—so, an indifference to this knowledge of invisible things, or a premature despair of attaining it, may be accounted an indication of some moral or intellectual deficiency, some scantiness of the due proportion of mind.”—vol. i. p. 276.

The learned author then proceeds to enumerate the various methods which man has employed “to enlarge the boundaries

of human knowledge, in matters relating to the Deity, or to such of his intelligent creatures as do not present themselves in ordinary objectiveness to our senses." He names reason as the first and the most valuable instrument, but remains wholly silent as to its means of action. From the context we are induced to believe, that by reason the author intends to indicate the discursive operations of that faculty, which in that case necessarily supposes some premises independent of itself, upon which it may operate. In fact the necessity of some fixed data, which can be no other than the truths of Divine revelation, is satisfactorily established in the following passage.

"But so fallible appears the reason of each man to others, and often so dubious are its *inferences* to himself—so limited is the span of our faculties, so incapable are they of giving more than a vague and conjectural probability, where we demand most of definiteness and certainty, that few, comparatively speaking, have been content to acquiesce even in their own hypotheses upon no other grounds than argument has supplied."—vol. i. p. 277.

These sentiments would certainly have justified our author in postponing all those methods which have reason for their sole basis, and in placing at the head of his classification something more sure in its operations and more fertile in its results.

Next to those who have solely employed their rational faculties in theology, are placed those who have relied upon supernatural illumination. It is impossible for Mr. Hallam, who is not a Catholic, to draw a line of demarcation between the ravings of the fanatic and the real inspirations of those holy persons, who by the special favour of Heaven have been called upon to lay open to us the hidden mysteries of the invisible world. To such a man as Mr. Hallam, in the absence of any fixed criterion by which it may be judged, the very mention of the mystical philosophy is calculated to suggest a well-founded apprehension.

Mr. Hallam distinguishes three other methods, which he terms as follows; extended inferences from sacred books; confidence in traditions; and confidence in individuals as inspired. To this he adds a special notice of the Jewish *Cabala*, which he dignifies with the name of *complemental revelation*. Amongst these three last-mentioned channels of supernatural knowledge, the latter (confidence in individuals as inspired) is only a repetition of the second method, of which we have already spoken; viz. supernatural illumination. We shall

therefore pass it over in silence, and merely offer a few remarks as to Mr. Hallam's views with regard to the two others.

In speaking of the interpretation of the sacred writings, the author, in classing those of the Mahometans with the canonical Scriptures, introduces into the mind of the reader an inevitable confusion; for independently of the capital question, as to what is true revelation, and what is a mere spurious imitation of its external form, the Christian Church and the Mahometan theocracy are governed by laws and by customs essentially different. When, therefore, he alludes to the high sanction of Church authority, as embodied in the decisions of a general council, he speaks of a sanction which applies exclusively to the Catholic Church, and which the sectaries of Mahomet have never attempted to hold forth to their followers. In fact, we must venture to express our surprise, that a person of Mr. Hallam's general good taste should have thus offered a gratuitous insult to Christianity; from the general tenor of his book we can only ascribe it to an oversight, not having seized the connexion which exists between the commencement and the end of a rather long phrase. As to the allegorical interpretations of Scripture, so much in favour with the early fathers, they repose merely upon their own individual authority, the Church never having interfered in the matter, either to approve or to condemn.

The same confusion of things essentially different, reigns on the subject of *tradition*. Mr. Hallam, in speaking of the *three great religions*—the Jewish, the Christian, and the *Mahometan*—omits to inform the reader of the important difference which characterises the sanction offered by each. In our humble opinion, the learned author has not the remotest suspicion of the real nature of Catholic tradition; one thing at least is certain, he speaks only of the legends of saints. Now popish legends, in our eyes, are things highly respectable in their way; but Heaven forbid that we should ever confound them with Catholic tradition,—of all things that which is most beyond the reach of doubt, and which St. Vincent of Lerins has thus defined: “*quod semper, quod ubique, quod ab omnibus creditum est.*” This is not the place to enter into a definition of the real nature of Catholic tradition; we shall therefore leave the matter in the hands of the intelligent reader. We shall merely take the liberty of observing, before we quit the subject of speculative science, that however unsatisfactory any one of the methods above alluded to may appear, it is the high privilege of the Christian philosophy to

combine them all into one harmonious *unity*, by taking from each that portion of truth which it contains, and thus arriving, under the tutelary influence of an infallible guide, at the remotest limits of human knowledge. Aided by the light of reason, and making use of that high faculty both in its discursive and in its speculative forms, the Christian philosopher studies those eternal truths which are revealed in the written word of God, guided by the definitions and the decisions of an infallible tribunal. The visible Church, as a hierarchy, was established by Divine authority, not only to prevent the propagation of error, but also to complete by oral tradition, which has hitherto flowed in an uninterrupted course, that general system which the holy Scriptures are intended rather to corroborate than to propound. To the united testimony of reason, of revelation, and of tradition, those who wish to penetrate further into the arcana of the invisible world, may add the result of individual inspiration, embodied in those private revelations which, in the absence of a supreme decision, each person has a right to judge according to their respective merits. It would, however, be rash in the extreme, to employ no harsher term, to disregard the saintly character of several of the persons so favoured, and the high authority with which their writings have been invested by the approbation of holy and learned men.

It is impossible to take leave of the age of Lorenzo de' Medici without alluding to its greatest literary prodigy—John Picus, of Mirandola, one of the most extraordinary men of those or of any other times. Mr. Hallam regards him as an instance of splendid talent perverted by his marked tendency to credulity. We shall not attempt to defend him from that charge, although our views upon this point may not perhaps exactly coincide with those of the author. His fifty Hebrew manuscripts, composed by Esdras, and rich in the secret mysteries of the cabala, are certainly liable to be severely judged by the enlightened critic; but have we not seen, in later times, men of undoubted judgment precipitately adopting as genuine what has ultimately proved to be spurious? We need only mention the celebrated literary forgery of the unfortunate Chatterton. But be this as it may, men of superior minds frequently employ materials of doubtful origin to a useful purpose, as the industrious bee extracts honey from the empoisoned flower. It must not be forgotten that the most startling hypotheses of Picus of Mirandola were put forth with that reserve, which the authority of the Church im-

poses. With such a moderating principle a man may travel far into the obscure regions of speculative science and return unscathed ; and when we consider that no error can subsist without a certain portion of truth, we shall cease to be surprised that a man who undertook to defend publicly nine hundred theses, should, in compliment to the spirit of the times, have included in their number the subjects of magic and the cabala. Considering the early age at which he was cut off (being only thirty-one years old) we may well be astonished at the variety and extent of his attainments. He was a perfect master of Greek, and deeply versed in the writings both of Plato and of Aristotle, at the same time possessing an adequate knowledge of Hebrew and the other oriental languages ; he wrote Latin with elegance, nor did he neglect his own language, having left several pieces of Italian poetry. His generous indignation was aroused by a virulent attack upon the schoolmen, in which they were treated as barbarians, on account of the want of elegance with which they had written in Latin ; in their justification he alleges that they had been too much occupied with *things* to busy themselves about *words*. We add, in the form of a note, a portion of that fragment which Mr. Hallam has produced as a specimen of his style, and by which the reader may judge of the gravity of his views and the dignified elevation of those principles which directed his studies.\*

Another name of considerable celebrity, and most intimately connected with this period, is that of Savonarola. Mr. Hallam has passed it over in silence, and we were almost inclined to follow his example, considering the variety of opinions which have been adopted with regard to this extraordinary man. But, nevertheless, whatever may have been the moral value of Savonarola, his influence upon literature and upon art cannot be denied. Such of his sermons as have been published, bear ample testimony to the unceasing efforts which he made to stem the torrents of paganism and corruption, which had already begun to pervert the public taste. His

\* "Viximus celebres, o Hermole, et posthac rivemus, non in scholis grammaticorum et paedagogiis, sed in philosophorum coronis, in conventibus sapientum, ubi non de matre Andromaches, non de Niobes filiis, atque id genus levibus nugis, sed de humanarum divinarumque rerum rationibus agitur et disputatur. In quibus meditandis, inquirendis et enodandis, ita subtilescut acresque suimus, ut anxi quandoque nimium et morosi suisse forte videamur, si modo esse morosus quispiam aut curiosus nimio plus in iudicanda veritate potest."—Polit. Epist. lib. 9.

commanding eloquence was never weary in condemning the false tendency of the times, and no man better than himself succeeded in pointing out the real principles of that new form of art to which Christianity had given birth, but which adverse circumstances then threatened to destroy. Notwithstanding his melancholy, his ignominious end, his admirers and his friends were not tardy in vindicating his memory from the aspersions which his enemies had cast around it; and after the lapse of a few years, he who had been burned as an impostor was venerated as a saint.\*

The close of the fifteenth century (1491-1500) forms the subject of the last section of this chapter. The decline of letters in Italy may be justly ascribed to the severe losses which they experienced by the political convulsions of that day, which ended in the expulsion of the Medici from Florence in the year 1494, and also by the death of several eminent scholars about this period; Picus of Mirandola having died that very same year, as also Hermolaus Barbarus, and Politian the year preceding. We refer the reader to the book before us (p. 309) for a just appreciation of the merits of these writers, who were honorably distinguished from their cotemporaries.

The current of literature seems now to be setting towards the north. In addition to Paris, Lyons, by aid of the newly-invented art of printing, becomes celebrated for its numerous editions of learned books, whilst in Germany the same praise may be given to the labours of the press at Deventer and Leipsic. About this time, Erasmus and Budæus give a fresh splendour to Greek letters, by their rapid progress in the study of that language. The high reputation of the former, his extensive general learning, and the bulk of his voluminous writings, render him one of the most influential men of his day; and his sarcastic turn, and the way in which he coqueted with those dangerous principles, which were already fermenting in the public mind, contributed not a little to the advancement of that great religious catastrophe which signalized the beginning of the ensuing century. Erasmus, it is true, constantly refused to take any part with the propounders of the new doctrines, but at the same time he neglected to stem their progress by that public reprobation which his conscience must frequently have suggested to him. There existed many abuses at this time in the Church as well as in the

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\* Bartoli's *Apology in favour of Savonarola*, p. 183.

state, which loudly called for reform; and Erasmus, in attacking the former, with a degree of virulence which may be traced partly to his own natural temperament, and partly to the character of the times, was far from intending to manifest any open hostility to the Church, and much less any real sympathy with those bold innovators, each of whom at this time assumed to himself the supreme authority.

Mr. Hallam, in closing this notice of the fifteenth century, thus enumerates the important events which illustrated its close:—

"This period of ten years, from 1490 to 1500, will ever be memorable in the history of mankind. It is here that we usually close the long interval between the Roman world, and this our modern Europe, denominated the middle ages. The conquest of Granada, which rendered Spain a Christian kingdom; the annexation of the last great fief of the French crown, Britany, which made France an entire and absolute monarchy; the public peace of Germany; the invasion of Naples by Charles VIII, which revealed the weakness of Italy, while it communicated its arts and manners to the Cisalpine nations, and opened the scene of warfare and alliances which may be deduced to the present day; the discovery of two worlds by Columbus and Vasco de Gama, all belong to this decad. But it is not, as we have seen, so marked an era in the progression of literature."—vol. i. p. 332.

On the contrary, Mr. Hallam only enumerates two authors whose works have passed to posterity, and are now read in their original form—the burlesque poem of Pulci, the permanent success of which may in a great degree be attributed to its licentiousness, and to its want of respect for all that is venerable; and the Memoirs of Philip de Comines, the merits of which may be regarded rather as historical than literary, on account of the important documents which they contain, relative to the reigns of Louis XI and Charles VIII. The following is given as a general summary of the acquisitions of the fifteenth century:—

"If we come to inquire what acquisitions had been made between the years 1400 and 1500, we shall find that in Italy the Latin language was now written by some with elegance, and by most with tolerable exactness and fluency; while, out of Italy, there had been a corresponding improvement, relatively to the point from which they started; the flagrant barbarisms of the fourteenth century having yielded before the close of the next to a more respectable, though not an elegant or exact kind of style. Many Italians had now some acquaintance with Greek, which in 1400 had been hardly the case with any one; and the knowledge of it was of late beginning to make a little progress in Cisalpine Europe. The French and English lan-

guages were become what we call more polished, though the difference in the former seems not to be very considerable. In mathematical science, and in natural history, the ancient writers had been more brought to light, and a certain progress had been made by diligent, if not very inventive philosophers. We cannot say that metaphysical or moral philosophy stood higher than it had done in the time of the schoolmen. The history of Greece and Rome, and the antiquities of the latter, were, of course, more distinctly known after so many years of attentive study bestowed on their principal authors ; yet the acquaintance of the learned with those subjects was by no means exact or critical enough to save them from gross errors, or from becoming the dupes of any forgery. A proof of this was furnished by the impostures of Annius of Viterbo, who, having published large fragments of Megasthenes, Berossus, Manetho, and a great many more lost historians, as having been discovered by himself, obtained full credence at the time, which was not generally withheld for too long a period afterwards, though the forgeries were palpable to those who had made themselves masters of genuine history."—vol. i. p. 335.

Mr. Hallam appears to us here rather to underrate the literary value of the fifteenth century. He passes over in silence the state of theological science, and of those studies which had for their object the civil and the canon law—matters calculated to exercise an important influence over the intellectual progress of the human mind. The number and quality of the books printed at this period, may, to a certain degree, serve as a criterion of the state of learning. The learned author appears to insinuate that most of the works then in request were trifling and ignorant productions, the editions of those books which are necessary to the progress of knowledge being *few and imperfect*; yet we find, by the bibliographical catalogues which relate to the period in question, that from the year 1470 to 1500, no less than ten thousand editions of books, or pamphlets (according to some writers fifteen thousand) issued from the various presses of the different cities in which the newly-invented art was already established; 55 of these were in Italy, where the principal typographical activity reigned, as appears from the respective numbers of editions issuing from each press, as established upon the authority of Panzer; by which we see, that whilst Paris produced only 751 editions, Rome reckons 925, and Venice 2,835. The whole of England figures in this list for the very moderate total of 141, whereof 130 were printed in London, seven at Oxford, and the remainder at the press which was established in the monastery of St. Alban's, where the monks followed closely upon the traces of one of the great intellectual centres

of the land, and that only a few years previous to the Reformation.

Fifteen thousand *editions* of works, although some of them were, of course, reprinted many times, may be considered as indicating a considerable activity in the literary world. Amongst the great number of books thus thrown into circulation, what were the subjects generally treated? In the department of ancient letters, we find 291 *editions* of the writings of Cicero, 95 editions of Virgil, and 57 of Horace; it is true, that, in each, the whole of the works of the author were not comprised. This appears particularly to apply to Horace, and that perhaps for reasons easy to divine. In his case, eleven only out of the fifty-seven editions are complete. In theology, Mr. Hallam mentions only the *ninety-one editions* of the Vulgate; he might have added to these several editions of different standard works of the early fathers, of the *Liber Sententiarum*, of the *Summa Theologæ*, and of other important works relating to this science. As to the canon and the civil law, matters ever considered as forming the basis of a learned education, the various editions of the digest and decretals, and other parts of those systems of jurisprudence, amount to some hundreds.

The above-mentioned numbers, it must be remembered, relate not to single volumes, but to whole editions of the work, varying from 275 to 550 copies, and probably occasionally exceeding that number. Taking the latter as the basis of our calculation, and applying it to the works of Cicero alone, the result is, that above 160,000 copies of the writings of this elegant author were introduced into circulation during the last quarter of the fifteenth century. Mr. Hallam has, perhaps, been tempted to cast a veil over the literary glory of the fifteenth century, in order that the sixteenth might shine forth in greater splendor:—that memorable era of intellectual emancipation, when the human intelligence, according to his views, shook off those antiquated trammels which had hitherto prevented its full developement. We take leave, however, to observe, that the intellectual value of an epoch is not to be exclusively estimated by the number of new authors which it produces, but in some degree by the use which it makes of those already in its possession.

The following chapter brings us down to the eventful period of the Protestant Reformation; an epoch intimately connected with the history of literature, inasmuch as that event not only for a time put a stop to the developement of

learning, but also introduced a new principle into philosophy, which was destined at a future period to open upon us the floodgates of scepticism. That the Reformation was fatal to all wholesome intellectual progress, we have the testimony of many contemporary writers, amongst whom may be reckoned Erasmus, who was certainly no blind approver of the old state of things ;—he laments bitterly that wherever Lutheranism reigns, literature perishes. In one of his letters he speaks of the *Evangelicals* of his day, who appear to have been of the same genus as those of ours, and tells us candidly that he hates their very name, for that they are the cause that polite letters, which he regards as one of the principal consolations of man's life, are neglected and forgotten ; “*languent, fugiunt, jacent, intereunt bonæ literæ.*” Erasmus has generally been reckoned by Protestant writers amongst one of the most strenuous promoters of the Reformation ; as a sort of Protestant abortion ; as a man who only remained attached to the old errors, because they were favourable to his own private interests ; but the fact is, that the conduct as well as the doctrines of the Reformers, inspired him with the most inexpressible disgust, as the reader may readily perceive without going any further than those extracts from his letters which are given by Mr. Hallam himself, in the form of notes, at pp. 419 and 491 of the present volume. To these, had the occasion called for it, we might have added many others, written in the same spirit, and in terms equally expressive. In the passage above alluded to, he accuses the *Evangelicals* of being addicted to the grossest vices ; “*amant viaticum et uxorem ;*” and in another letter, also cited by Mr. Hallam (p. 491), he says that they were only anxious about two things, *money* and *women* ; as for all the rest, *the gospel* is their inexhaustible resource ; for in the gospel they find the means of justifying all their crimes. “*Duo tantum quærunt, censem et uxorem. Cætera præstat illis Evangelium, hoc est, potestatē vivendi ut volunt.*” But we have heard too much about the gospel, adds he ; what we desire is to see its morality reduced to practice. “*Satis jam diu audivimus Evangelium, Evangelium, Evangelium ; mores evangelicos desideramus.*” He gives us, moreover, a most melancholy picture of the state of several of the principal cities in Germany, as filled with needy wanderers ; religious persons who had violated their solemn vows ; priests who had imitated the scandalous example of Luther, in abandoning themselves to the sacrilegious vice of incontinence ; many of whom were

already exposed to all the horrors of the most utter destitution :—“ *Civitates aliquot Germaniae implentur erroribus, desertoribus monasterium, sacerdotibus conjugatis plerisque famelicis ac nudis.*” And yet, in the midst of all this moral and physical misery, we hear of nothing but of dancing, of eating and drinking, and of the most disgusting debauchery : “ *Nec aliud quam saltatur, editur, bibitur, subatur.*” At Bale, particularly, he had an opportunity of witnessing such goings on, that he assures us, that even if their doctrines had suited him, he could never have made up his mind to have any intercourse with such a filthy (*fædus*) set.

In citing the opinion of Erasmus, as to the direct influence of the Reformation upon literature in general, we have been betrayed into a more comprehensive appreciation of that event, in some of its attendant circumstances. To such men as we have above described, it is impossible, even by the greatest stretch of courtesy, to ascribe any but the lowest and most sordid motives. But we leave them to wallow in their infamy, certain that every unprejudiced person, whatever may be his creed, will join with us in execrating their memory.

The reader must not however suppose, that in thus introducing the Protestant Reformation, we are travelling out of our subject; for Mr. Hallam, in the work before us, enters at some length into that matter. The religious revolution of the sixteenth century, is one of those capital events in the history of the progress of the human mind, which extends its influence over all succeeding ages; and our author therefore found himself under the necessity of examining it both in its origin and in its developement. We ourselves, as our well-known principles imply, attach too much importance to this subject to pass it over lightly; we shall, however, in the present instance, merely follow our author in his appreciation of men and things. It has been our intention, from the beginning, to divide our notice of Mr. Hallam's work into two parts, the first of which should comprise only that period which is previous to the Reformation. Having therefore advanced thus far, we shall conclude the present article by laying before the reader the author's opinions upon an event which has been so variously qualified, accordingly as the interests and the passions of particular writers have been allowed to sway their better judgment.

Mr. Hallam thus introduces the subject, under the marginal title of *Origin of the Reformation* :—

“ We are now brought, insensibly perhaps, but by necessary steps,

to the great religious revolution which has just been named. I approach this subject with some hesitation, well aware that impartiality is no protection against unreasonable cavilling. But neither the history of literature, nor of human opinion upon the most important subjects, can dispense altogether with so extensive a portion of its materials."—vol. i. p. 411.

We sincerely believe that Mr. Hallam is an impartial writer, in a certain sense of the word; we believe him wholly incapable of distorting truth to serve party purposes, and justice obliges us to avow, that he constantly endeavours to hold a just balance between conflicting opinions, according to the measure of his knowledge. But prejudice, the parent of partiality, is of two kinds, voluntary and involuntary; and men of the most liberal sentiments are unconsciously acted upon by the influences of their early education. Thus in speaking of the proximate causes of the Reformation, and the famous dispute about the sale of indulgences, he omits to inform us, that Luther only discovered the inefficacy of indulgences, after the religious order of which he was a member, had been deprived of the profits which arose from distributing them. As to the sale of indulgences, as a question of right, or even as a question of expediency, we beg to be allowed to leave it at rest. It is not here the place to renew a discussion, which, like many others, has been rendered interminable by misstatement. It is, moreover, at the present day, wholly devoid of interest, as the Church, in the exercise of her penal authority, has substituted *other conditions*, in the place of those trifling pecuniary penalties, which have been the occasion of so much angry reproach. This was, however, the subject upon which Luther first opened his attack upon Church authority. He began by professing to believe that those whom Mr. Hallam terms *the dealers* in that commodity, had exceeded their commission; he therefore most respectfully appealed to Rome. This was in the year 1518. Two years afterwards, and after that mature consideration which this long delay implies, the pope resolved to maintain his prerogative, and not to give way before the wild clamours of a factious monk. Luther, instead of submitting to the lawful authority of his spiritual superior, now threw off all allegiance to the Church, by publicly executing the office of the hangman upon the instrument of his condemnation, at the same time committing to the flames *the whole body of the canon law*. The history of Luther is the history of every heretic in every age; condemned by their superiors, they appeal to the pope; condemned by the pope,

they appeal to a general council; and condemned by a general council, they appeal to themselves, and to their own private interpretation of Catholic truth.

Mr. Hallam does not appear prepared to condemn this conduct of Luther, probably because he has never sufficiently reflected upon the nature of Church authority, and upon the necessary dependence of the inferior members of the hierarchy; but the case is different when he comes to speak of his *doctrines*; he finds them subversive of all morality by confounding the fundamental distinctions of virtue and vice. In a note (p. 417), he particularly condemns the very unfair proceeding of that great Protestant authority, Milner, who, in his prolix history of this period, has, by what is very justly termed a *disingenuous trick*, suppressed all those passages “*which display his antinomian paradoxes in a strong light.*” The tenets of Calvin do not appear to have been more favourably received by Mr. Hallam, as he considers a charge of *Calvinism* as anything but courteous, and even apologises for making use of so *awkward* a word.

Having thus condemned the doctrines of the two principal actors in this scene, he thus proceeds to speak of the event itself, considered as to its origin:—

“Whatever may be the bias of our minds as to the truth of Luther's doctrines, we should be careful, in considering the Reformation as a part of the history of mankind, not to be misled by the superficial and ungrounded representations which we sometimes find in modern authors. Such is this, that Luther, struck by the absurdity of the prevailing superstitions, was desirous of introducing a more rational system of religion, or that he contended for freedom of inquiry, and the boundless privileges of individual judgment; or, what others have been pleased to suggest, that his zeal for learning and ancient philosophy led him to attack the ignorance of the monks and the crafty policy of the Church, which withheld all liberal studies.”

“These notions are merely fallacious refinements, as every man of plain understanding, who is acquainted with the writings of the early reformers, or has considered their history, must acknowledge.”— vol. i. p. 418.

The author then proceeds to examine and to combat each of the above hypotheses; and he begins by asserting, that the doctrines of Luther are certainly not more rational than those of the Church from which he separated. As to free inquiry, he presumes that, although *they practised it in deserting their ancient altars*, they had no intention of laying it down as a principle that a man has a *right to judge amiss*. He also repudiates the idea that the interests of learning had

anything to do with it, for Luther had no pretensions in that direction.

Such of our readers as have not already seen Mr. Hallam's book, must now be curious to know, after what he has already advanced, where he intends to seek the real motive of their conduct. His solution is not exactly flattering to Protestant susceptibility, although it must be allowed that it is enveloped in a certain vagueness of language, which renders it less offensive to delicate ears. We doubt not, even, that a certain class of readers will be very well satisfied with the following harmonious phrase:—"Every solution of the conduct of the Reformers must be nugatory, except one, that they were men absorbed by the conviction that they were fighting the battle of God"—which, reduced to more homely language, means, that they were wild enthusiasts and furious fanatics, as every man is, who pretends to a special mission from Heaven, in the absence of a *sanction*, or who takes upon himself to destroy what has been legitimately established. As to the question of their sincerity, the circumstance of their being sincere, if they really were so, may, perhaps, render them less contemptible, but scarcely less guilty; for a man blinded by anger, by envy, or by any other passion, may be very *sincere*, but is not the less responsible for the consequences of his conduct. The knight of the woful countenance was very sincere when he attacked, sword in hand, the inoffensive wine sacks of his sleeping host, mistaking them for a band of midnight depredators; but his sincerity did not prevent the fatal consequences of his error—all the wine was spilt.

A few years ago, no Protestant writer would have dared to pronounce so severe a judgment upon the Reformation as Mr. Hallam has done in the present instance; and it certainly indicates an important progress in the state of public opinion, when we see on all sides of us, both in this country and abroad, the most learned men of the day amongst the Protestants, laboriously occupied in breaking down that enormous barrier of error, which the accumulated prejudices of three centuries had erected, and which alone has hitherto prevented men from appreciating more correctly the history of certain past events.

But his language becomes still more remarkable in a future chapter (chap. vi.), which is particularly devoted to the history of theological literature in Europe from the year 1520 to the year 1550. During this period of thirty years, one-

third of which is anterior to, and two-thirds posterior, to that first public manifesto of Protestantism, the Confession of Augsburg, the Reformation may be said to have been constituted; the year 1520 coinciding with the date of Luther's open apostacy, and the year 1550 bringing us down to the close of his career, which took place in 1546.

Our author commences his notice of this period, by laying before the reader a succinct history of the progress of the Reformation, and of the conduct which was professedly adopted by the civil authority with regard to religious differences. He admits, however, that the innovations which were countenanced by the civil power, gradually undermined the basis of social order; and that those furious mobs who were allowed to destroy by force the exterior symbols of religious worship, became inclined to further acts of destruction and more sweeping theories of revolution; in a word, that it taught them the habit of *knowing* and *trying* what he very quaintly terms *the efficacy of popular argument*. To the excitement of the revolutionary spirit, he adds, as a second consequence of the Reformation (we use Mr. Hallam's own terms), the growth of fanaticism. The passage in which he describes this most deplorable calamity (at the same time giving to Luther the merit of being its principal author) is well deserving of the reader's attention:—

"A more immediate effect of overthrowing the ancient system, was the growth of fanaticism, to which, *in its worst shape*, the antinomian extravagances of Luther, yielded too great encouragement. But he was the first to repress the pretences of the Anabaptists; and when he saw the danger of general licentiousness, which he had unwarily promoted, he listened to the wiser counsels of Melancthon, and permitted his early doctrine upon justification to be so far modified, or mitigated in expression, that it ceased to give apparent countenance to immorality; though his difference with the Church of Rome, as to the very question from which he had started, thus became of less practical importance, and less tangible to ordinary minds than before. Yet, in his own writings we may find to the last such language, as to *the impossibility of sin in the justified man, who was to judge solely by an internal assurance as to the continuance of his own justification*, as would now be universally condemned in all our churches, and is hardly to be heard from the lips of the merest enthusiast."—vol. i. p. 487.

The passage which we have printed in italics fully justifies Mr. Hallam in qualifying the enthusiasm of Luther, as a specimen of the very worst of its kind. In fact, where are we to seek for a principle of stability in morals, when every scoun-

drel is allowed to declare himself *impeccable*, because his senses are disturbed by the fumes of ignorance and vanity?

After having spoken of those angry differences, which soon rendered the Reformers as violent against each other, as against the Church from which they had apostatised, he touches upon the delicate question of the *changes* which were made in the official Protestant creed (the Confession of Augsburg) so early as the year 1540, exactly ten years after its promulgation. Its apologists, after having boldly asserted that *no change whatever* had been made in this important document, were obliged to modify that assertion, upon the production of the original edition of 1531, which is materially different from that of 1540. They then contented themselves by saying, that they meant to assert that no *important* change had been made. In the absence of a competent ecclesiastical tribunal, we are at a loss to discover who has a right to determine what is important and what is unimportant in such matters; one thing, however, is certain, that amongst the changes introduced, we find one quoted by our author himself, in a note (p. 488), which was intended to get rid of the doctrine of transubstantiation;—now, whether the doctrine of transubstantiation be or be not *important*, each Protestant must determine according to his own particular views. In England, we should say that it has always been regarded as *very important*, as several legislative enactments rendered a belief in it a political offence.

Mr. Hallam then enters at some length into the appreciation of the character of Erasmus, and of his writings; and he begins, by informing us, that he, as well as Sir Thomas More, and several of the most eminent men of the day, whom he mentions by name, all persons favourable to *reform*, in its legitimate sense, rallied round the Church in the hour of her danger; preferring the existence of the ancient abuses, to the violent remedy which was proposed for their suppression. Erasmus, particularly, anticipated great evil (it is Mr. Hallam who speaks thus) "*from the presumptuousness of ignorant men in judging for themselves in religion;*" he therefore always maintained the necessity of preserving the communion of the Catholic Church, which he thought consistent with much latitude of private faith. In an elaborate note, the author justifies the memory of this great scholar from the base slanders of partial writers, who have represented his actions as taking their rise in motives of self-interest, of fear, or of ambition.

The following passage appears to us extremely curious, as

exemplifying how far a man may be led, by a natural love of truth, to lay open unconsciously the weak places of the party to which he belongs :—

“The most striking effect of the first preaching of the Reformation was, that it appealed to the *ignorant*; and though political liberty, in the sense we use the word, cannot be reckoned the aim of those who introduced it, yet there predominated that revolutionary spirit which loves to witness destruction for its own sake, and that intoxicated self-confidence which renders folly mischievous. Women took an active part in religious dispute; and though in many respects the Roman Catholic religion is very congenial to the female sex, we cannot be surprised that many ladies might be *good Protestants*, against the right of any to judge better than themselves. The translation of the New Testament by Luther in 1522, and of the Old a few years later, gave weapons to all disputants. It was common to hold conferences before the burgomasters of German and Swiss towns, who settled the points in controversy, one way or other, perhaps as well as the learned would have done.”—vol. i. p. 497.

Had the preceding lines been written by an avowed enemy of the Reformation, they would no doubt be treated as calumnies, or at least as partial misrepresentations, arising out of that spirit of exaggeration, which has unfortunately misled many able writers on both sides of the question: in the present instance, no such suspicion can be attached to them. Mr. Hallam’s high character as an historical writer, conveys to them an increased importance. He avows, that upon matters the most subtle and abstruse, as well as upon other grave questions, which learned men alone can resolve (for instance, such as are connected with the history and the discipline of the Church), an appeal was made to the passions of an ignorant mob; to men (we use his own identical words), “who loved to witness destruction for its own sake, and who were intoxicated with that self-confidence which renders folly mischievous.” Such men, opening a rude and incomplete translation of the Holy Scriptures, without any regard to the writings of the fathers, or the long-received interpretations of the universal Church, disposed in a summary way of the most momentous questions, and that in a few hours, and under the presidency of a civil magistrate! Of those very questions, many of which had already been settled by the authority of a general council, and most of which were afterwards attentively re-examined by the Council of Trent; not in the course of a morning, but during the long protracted labours of several sessions, which lasted at intervals from 1545 to 1563, and dur-

ing which period of *eighteen years*, every new opinion had an opportunity of producing itself, and of undergoing the infallible test of Catholic tradition, in an assembly of holy and learned men from all countries, convoked by a competent authority, and with the consent of the civil power. How any one possessed of ordinary prudence, and of that degree of acuteness which falls to the lot of most men, can for a moment hesitate between the decisions of such a body, and the violent and contradictory declamations of those who denied its authority, is a circumstance, which, we candidly avow, surpasses the measure of our faculties of comprehension. We should almost be tempted to suspect, that, in many instances, such conduct is to be attributed to what Mr. Hallam facetiously terms *good Protestantism*, i. e. "*a protestation against the right of any to judge better than ourselves.*"

Many important observations were suggested to us by the perusal of the pages which immediately follow the above extract, where the author draws a parallel between those times and our own; where he speaks of the appearance of Calvin and of his institutes, and particularly of the *increased differences amongst the Reformers* (p. 500); upon which occasion, he avows, that the disorders which were the fruits of Luther's celebrated tenet of *assurance*, threatened to destroy the very basis of civil society. Several other highly interesting topics are touched upon in the course of this chapter, such as the institution of the order of St. Ignatius, and the Council of Trent. The testimony of unqualified approbation which we there find in favour of the *Jesuits*, is remarkable, as falling from the pen of a Protestant. We would most willingly have laid this passage before the reader, had not the extending limits of the present article rendered it necessary for us to be extremely sparing of extracts. We must therefore content ourselves in particularly recommending it to his attention, begging of him, however, occasionally to make allowance for the Protestant views of the author; as, for instance, when he speaks of the sole apparent hope of the Church being in the *superstition of the populace, &c.*

We shall devote our last extract to Luther himself, the great apostle of the Reformation. In the following lines, the author pronounces a very severe, but well-founded, judgment, upon the writings and conduct of this violent and self-willed man. He begins by paying a just tribute to his historical celebrity, as the leader of a political party, and speaks of him as a writer of considerable force, and even of a certain degree

of elegance in his own vernacular tongue :—as a proof of which, he alludes to his hymns, many of which are still in use in the Lutheran Church. We are surprised that Mr. Hallam passes over in silence the much more important *literary* service which he rendered to Germany, by the translation of the Scriptures ; for Luther's Bible, much more than his hymns, may be looked upon as the book which first gave a certain fixity to the German language, rendering, in that country, the same service to letters, which the writings of Boccaccio had, at a former period, rendered to his own language in Italy, by the establishment of a fixed criterion of taste. Our profound contempt of Luther as a man, and particularly as a priest, is not capable of rendering us blind to this important service. “*Suum cuique* ;” let every man enjoy the just measure of his fame. The author thus continues :—

“ But, from the Latin works of Luther, few readers, I believe, will rise without disappointment. Their intemperance, their coarseness, their inelegance, their scurrility, their wild paradoxes, that menace the foundations of religious morality, are not compensated, so far at least, as my slight acquaintance with them extends, by much strength or acuteness, and still less by any impressive eloquence. Some of his treatises—and we may instance his reply to Henry VIII, or the book “against the falsely-named order of bishops”—can be described as little else than bellowing in bad Latin. Neither of these books display, so far as I can judge, any striking ability. It is not to be imagined, that a man of his vivid parts fails to perceive an advantage in that close grappling, sentence by sentence, with an adversary, which fills most of his controversial writings ; and in scornful irony he had no superior. His epistle to Erasmus, prefixed to the treatise *De Servo Arbitrio*, is bitterly insolent, in terms as civil as he could use. But the clear and comprehensive line of argument, which enlightens the reader's understanding, and resolves his difficulties, is always wanting. An unbounded dogmatism, resting on an absolute confidence in the infallibility, practically speaking, of his own judgment, pervades his writings ; no indulgence is shown, no pause allowed to the hesitating ; whatever stands in the way of his decisions—the fathers of the Church, the schoolmen and philosophers, the canons and councils—are swept away in a current of impetuous declamation ; and as every thing contained in Scripture, according to Luther, is easy to be understood, and can only be understood in his sense, every deviation from his doctrine incurs the anathema of perdition. Jerome, he says, far from being rightly canonised, must, but from some special grace,\* have been damned for his interpretation of St. Paul's epistle to the Romans.

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\* This civil parenthesis, or saving clause, is due rather to the urbanity of the author than to the stern reformer ; who, in the passage cited at the bottom of the page, damns him outright, without either hope or pity.

"That the Zwinglians, as well as the whole Church of Rome, and the Anabaptists, were shut out by their tenets from salvation, is more than insinuated in numerous passages of Luther's writings. Yet he had passed himself through several changes of opinion. In 1518, he rejected auricular confession; in 1520, it was both useful and necessary; not long afterwards it was again laid aside. I have found it impossible to reconcile, or to understand his tenets concerning faith and works; and can only perceive that, if there be any reservation in favour of the latter—not merely sophistical, of which I am hardly well convinced—it consists in distinctions too subtle for the people to apprehend. These are not the oscillations of a balance in a calm understanding, conscious of the difficulty which so often attends the estimate of opposite presumptions; but alternate gusts of dogmatism, during which, for the time, he was as tenacious of his judgment as if it had been uniform.

"It is not impossible that some offence will be taken at this character of his works by those who have thought only of the man—extraordinary, as he doubtless was, in himself, and far more so as the instrument of mighty changes on the earth. Many, of late years, especially in Germany, without holding a single one of Luther's more peculiar tenets, have thought it necessary to magnify his intellectual gifts. Frederic Schlegel is among these; but in his panegyric there seems a little wish to insinuate, that the Reformer's powerful understanding had a taint of insanity. This has, not unnaturally, occurred to others, from the strange tales of diabolical visions Luther very seriously recounts, and from the inconsistencies as well as the extravagance of some passages. But the total absence of self-restraint, with the intoxicating effects of presumption, is sufficient to account for aberrations, which men of regular minds construe into actual madness."—p. 510 *et seq.*

With these words which refuse to the great Reformer even the poor excuse of a troubled intellect, we take leave of the subject. Should the present volume fall into the hands of a Protestant reader, we beg of him to keep in mind, that the above severe appreciation of the Protestant Reformation, and of its principal promoters, is the work of a person of his own religious creed, and of a man particularly capable of forming a correct opinion upon the matter, as well from his extensive reading, as from the general impartiality of his opinions. If we have dwelt upon this question too much at length, in an article of a character rather literary than polemical, we must offer as our justification, in the first place, the example of the author himself, in the work now before us; and in the second place, the important influence of the event itself, upon the interests of literature, and the general progress of the human mind.

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ART. IV.--*General Order, Horse Guards, 20th October, 1840.*  
*Court-Martial on Captain Richard Anthony Reynolds,*  
*11th Hussars.*

WE do not remember any event, of recent occurrence, which has excited deeper interest than the court-martial on Captain Richard Anthony Reynolds. Whilst the proceedings were pending, they were watched by the public with intense anxiety; when the sentence was promulgated and confirmed, it was received with a feeling of dissatisfaction and regret, which has not subsided, and will not easily subside. The trial of Captain Reynolds involves considerations which concern not merely one individual, but many—not one regiment, but the whole army—not the army alone, but the public. Under such circumstances, we need offer no apology for taking a review of the whole *res gestæ*, and inquiring calmly into the legality and propriety of the proceedings, and the justice of the sentence.

The charge made against Captain Reynolds was as follows, viz :

"For that he (Captain Richard Anthony Reynolds), having at Brighton, on the 27th of August 1840, written and sent a letter to Lieutenant-Colonel the Earl of Cardigan, of the same regiment, his commanding officer, of an improper nature, and being thereupon personally ordered by the said Earl of Cardigan, as his commanding officer, to the effect following—viz., that all letters addressed to him by Captain R. A. Reynolds should in future be strictly official, nevertheless, he, the said Captain R. A. Reynolds, in direct violation and disobedience of said order by his commanding-officer, did on the 28th of August 1840, write and address to him (Lieutenant-Colonel the Earl of Cardigan), a most disrespectful, insubordinate, offensive, and insulting letter, imputing to him conduct calculated to excite him to depart from his duty as commanding-officer, and which last-mentioned letter is as follows:—' Brighton, Aug. 28, 1840. My Lord,—Having in my letter to your Lordship of yesterday, stated to your Lordship that a report had reached me that your Lordship had spoken of me in such a manner as I deemed prejudicial to me, considering the position in which I am placed, and having in the most respectful manner requested your Lordship to allow me to contradict such report, and your Lordship having this morning positively refused to give me any answer, I must beg to tell your Lordship that you are in nowise justified in speaking of me at all at a public party given by your Lordship, and more particularly in such a manner as to make it appear that my conduct has been such as to exclude me from your Lordship's house. Such assertion is calculated to injure me. Your Lordship's reputation as a professed duellist,

sounded on the having sent Major Jenkins to offer satisfaction to Mr. Breut, the miller at Canterbury, and your having sent Captain Forrest to London to call out an attorney's clerk, does not admit of your privately offering insult to me, and then screening yourself under the cloak of commanding-officer ; and I must be allowed to tell your Lordship, that it would far better become you to select a man whose hands are untied for the object of your Lordship's vindictive reproaches ; or to act as many a more gallant fellow than yourself has done, and waive that rank which your wealth and earldom alone entitle you to hold. I am, my Lord, your Lordship's obedient servant, RICHARD ANTHONY REYNOLDS. To the Right Hon. the Earl of Cardigan, 45, Brunswick-square, Brighton.' Such conduct as aforesaid, being, in the said Captain Richard Anthony Reynolds, unbecoming an officer and a gentleman, prejudicial to the interests of the service, subversive of good order and military discipline."

For the right understanding of the matter, it is necessary to dissect this charge. It consists, as the judicious reader will observe, of several parts; 1st. That Captain Reynolds on the 27th of August wrote and sent to his commanding officer a letter of an improper nature; 2ndly. That it was thereupon ordered by Lord Cardigan, *as his commanding officer*, that he should address for the future no letter to his lordship except officially; 3rdly. That in direct disobedience of such order by his commanding officer, he wrote to him the insubordinate and offensive letter of the 28th August; upon all which premises is grounded, 4thly, the conclusion, "That such the conduct of Captain Reynolds was unbecoming an officer and a gentleman, prejudicial to the interests of the service, and subversive of good order and military discipline." In this investigation it will be necessary to watch the premises strictly; if the premises fail, so also will the conclusion.

1. We proceed to examine the first portion of the charge, the improper letter of the 27th August, 1840, and the circumstances out of which it arose. The circumstances were stated by Lord Cardigan in his evidence as follows :

"On the 26th of August I had a party at my house at Brunswick Square, at which several of the officers of the regiment were present, and the regimental band was also present. Some of the ladies who dined with me invited their friends to come in the evening for the purpose of dancing. It was after the dancing had commenced, and after more of the officers had come in, that a young lady said to me, 'I do not see the Captains Reynolds here. Why is that?' My answer was, 'Because I have not invited them.' Then followed the question, 'Why have you not invited them?' My answer was, 'Because I do not happen to be on good terms with them ;' and then

I added, ‘I’m afraid, if you are very anxious to see the Captains Reynolds, I think you are not likely to see them at my house (or this house).’ Another question was then put, ‘Why are you not on good terms with them?’ to which I replied, ‘Oh, that is a very long story, and I do not wish to go into it all,’ or words to that effect. The conversation then ceased.”

The circumstances as thus stated are not those which came to the ears of Captain Reynolds. The circumstances as represented to Captain Reynolds are stated as follows by Lieutenant Cunningham in his examination for the prisoner :

“Are you a lieutenant in the 11th Hussars?—I am.

“Did you hear a report on the 26th of August relating to me?—I did.

“What was the report you heard?—When I was with the band, a young lady asked me if I heard any conversation at the Earl of Cardigan’s party the night before? I said ‘No,’ and I naturally asked what it was. She said she had heard a lady ask Lord Cardigan why the Captains Reynolds were not at his house; that she asked him twice, when he replied, ‘They shall never enter my house as long as they live.’

“Did you communicate this report to me; and, if so, when?—I told you of it when you came into my room on the evening of the same day, being the 26th of August last.”

The variance in the words as repeated to Captain Reynolds from the words as stated by Lord Cardigan, is very material. The words as reported to Captain Reynolds import a perpetual sentence of exclusion of the Captains Reynolds from the house of Lord Cardigan, the commanding officer of their regiment, at all times and under all circumstances. This sentence is not even limited to the period of his being their commanding officer; but it declares, that whatever be their situation, and whatever be his, they shall never enter his house as long as they live.

For a private individual to be for ever debarred all access to the society of Lord Cardigan, could not be considered as a grievance. But the case is different with an officer of his own regiment, and that officer his senior captain. The commanding officer of a regiment is usually, and properly, considered as being in the situation of a father of a family; and when such a man thinks it necessary to declare that one of his officers shall never be permitted to enter his house as long as he lives, it infers, in the minds of reasoning persons, that the officer thus sentenced has been guilty of some act which renders him unfit for the society he had been accustomed to move

in; a slight difference, or a temporary estrangement, or even some fault or negligence in matters of duty, could be no sufficient foundation for a sentence of perpetual exclusion. This sentence is one which affects the officer in the good opinion of others; it gives them reason to imagine that, as an individual, he has done something which ought to prevent his being admitted into the society of gentlemen. It was thus that Captain Reynolds viewed it. He was sensitive, but he could hardly be over-sensitive in a matter which concerned his honour and his reputation; and even if he had carried his sensitiveness to an excess, his error would have been one which men of honour would not severely condemn. Under the influence of such feelings, Captain Reynolds, on hearing the report in question, sat down to write a letter to Lord Cardigan, intreating his Lordship to enable him to contradict the injurious rumour which had reached him. The letter is not only free from blame, but, under the circumstances, worthy of all praise. It is temperate, polite, and respectful. No man could have written a letter better suited to the occasion. And as the words imputed to Lord Cardigan were words used in a private society, the letter was most properly addressed to him in his private capacity. It is as follows:

“ Brighton Barracks, August 27th, 1840.

“ My lord,—A report has reached me, that on Tuesday last, at a large party given by your lordship, when asked why the Captains Reynolds were not present, your lordship replied, ‘ As long as I live they shall never enter my house.’ I cannot but consider this report highly objectionable, as it is calculated to convey an impression prejudicial to my character, and therefore I trust your lordship will be good enough to authorise me to contradict it.

“ I am, my lord, your lordship’s obedient servant,

“ RICHARD ANTHONY REYNOLDS.”

“ The Right Hon. the Earl of Cardigan.”

There is an entire absence in this letter of anything angry in feeling, hostile in expression, or peremptory in terms. The writer trusts to his lordship’s goodness to authorize him to contradict a rumour which he felt to be prejudicial to his character. It was in the power of Lord Cardigan in a moment to have relieved Captain Reynolds from the painful impression under which he laboured; as, between man and man, we conceive it was the duty of Lord Cardigan so to have done. There are duties, and those of the highest and best class, which law cannot enforce, but which are not the less of binding obligation. A man may arbitrarily or capriciously, but he cannot

justly, withdraw himself from all consideration of what is due to the feelings of others. We do not think that any other commanding officer would have refused an answer to such an application as was made by Captain Reynolds under such circumstances. We consider that in private life, any gentleman addressing such a letter to another gentleman, upon any similar occasion, would be entitled to expect an answer. We think that ninety-nine persons out of a hundred would have returned a courteous answer. In the case now before us, the answer would have satisfied the honour of Captain Reynolds, for it would have simply told him he had been misinformed. Let it ever be borne in mind that Lord Cardigan denies having used the words imputed to him. His Lordship, in cross-examination, was asked the following question :

"Did you state to the young lady in the conversation you mentioned, 'As long as I live he shall never enter my house?'

"Answer.—I should say certainly not, to the best of my recollection."

The case is one in which Lord Cardigan was respectfully solicited to allow a contradiction of his having spoken certain words, which his lordship says he did not speak. Why should he not at once have said so? That imagination must be indeed suspicious, that temper must be ingenious in self-torture, which could see in Captain Reynolds' letter an object far different from what it professed, and which could *not* see that, inasmuch as the supposed cause of offence had never been given, it might with all truth, and with all courtesy, and without any undue condescension to another's feelings, be disavowed!

Upon this letter, Lord Cardigan, in his opening speech before the court-martial, makes these observations :

"Captain Reynolds and myself were not on terms of communication, except in matters of duty; and I had no difficulty in coming to the conclusion that the object of this letter was not, as it professed to be, to enable Captain Reynolds to contradict the report, but to oblige me substantially to confirm it. I saw at once that this could only be for one of two purposes,—either to make my letter the basis of proceedings before a higher tribunal, or more probably, to make it the ground of requiring at my hands another species of satisfaction which, although sanctioned by the usages of society, would be highly improper between persons in the relative position of Captain Reynolds and myself."

Surely, never was there more unfounded, or less ingenuous reasoning! And yet it is such as suggested itself to the mind

of Lord Cardigan at once, and as it were by intuition. His answer would have removed the supposed ground of complaint, and yet he apprehends it might be made the means of accusing him to the Horse Guards! How could it? And if it did, why should he not manfully avow his acts before the Horse Guards, or any other tribunal? Even if his answer could possibly have committed him at the Horse Guards, heaven knows that Lord Cardigan had little to dread in that quarter! And if his answer should still expose him to a challenge from Captain Reynolds, Lord Cardigan would have known what his duty required of him in case of a step so improper being taken; he would have transmitted the challenge to the General commanding in chief, and Captain Reynolds would have been cashiered.

But even if Lord Cardigan's mode of reasoning had been more correct, still it goes no way towards proving Captain Reynolds's letter to have been "of an improper nature." Neither Lord Cardigan, nor any other man, did, or could, point out any one word or syllable of that letter which was improper. If no part of it can be pointed out as improper, then the letter, as a whole, is not of an improper nature. In stigmatizing it as improper, it is obvious that Lord Cardigan reasons rather upon what he considers his own position than on that of Captain Reynolds. He thinks that he cannot safely answer the letter, and therefore he concludes that the letter is improper. The premises not only do not support, but have no connexion with, the conclusion. If he could not answer the letter without incurring a certain hazard, *that* might be an argument for giving no answer, but it would not at all shew that the letter was of an improper nature. If two persons enter into an argument, and the one succeed in placing the other in a dilemma from which he cannot escape, the latter would only be laughed at if he should say, "I feel myself placed in a dilemma; I must be thrown upon the one horn or the other, *therefore* the argument which has been used against me is of an improper nature."

Lord Cardigan did not think fit to vouchsafe any answer to the first letter of Captain Reynolds; he characterized it then, as he did afterwards in his charge, as a letter of an improper nature; and he considered it so improper as to justify and require the peremptory order he thereupon gave to Captain Reynolds, to address to him no further communication, except such as should be strictly official. The first part of his charge is, that this letter was of an improper

nature, and the court-martial have found that Captain Reynolds is guilty of the whole charge exhibited against him. Upon this first article the public has delivered its verdict, and it has pronounced that this letter was *not* of an improper nature—that it was every way such as Captain Reynolds should have written, and Lord Cardigan should have answered; and that in refusing any answer to it, Lord Cardigan was the party who committed the first wrong. It fails entirely as the foundation of Lord Cardigan's charge; and this being the first step in the process, it is important to bear in mind, that thus far not only was Captain Reynolds free from blame, but Lord Cardigan was in the wrong. In the trial of a crime, when once we have found who was the first wrong-doer, we have gone some way towards settling the question which of the two parties in dispute is deserving of censure. In a criminal court, if a man be indicted for an assault, and it appear in evidence that the prosecutor was himself the first assailant, the defendant is discharged. This is a rule of law, and however that may be, it is a sound rule of justice.

2. We proceed to examine the second portion of the charge, that which refers to the order (as it is called) delivered by Lord Cardigan, "as commanding officer," to Captain Reynolds, to address to him no further correspondence, except officially. This portion of the charge is immediately connected with the first—it is the consequence of it; it is *because* the letter was of an improper nature, that "thereupon" the order was given. Assuming, therefore, that the letter was *not* of an improper nature, as we think it was not, it follows that the order ought not to have been given. If Captain Reynolds wrote a proper letter, he ought not to have been censured for it, and above all, he ought not, by reason of it, to have been peremptorily forbidden all further communication. If the first portion of the charge fail, the second must fail with it; if the foundation crumble, the superstructure cannot stand.

But assuming, for the sake of argument, that the letter was of an improper nature, it will still remain to be considered whether the order in question was such as Lord Cardigan, in his quality of commanding officer, had any right to give.

Let us consider what had taken place up to this point, and what conduct Lord Cardigan now adopts thereon. The facts which had occurred were strictly of a private nature; they had no connexion with any matters of military duty; they had as little relation to the 11th Hussars, or the good order and discipline of that regiment, as to any other regiment in the army.

They had no connexion in any way with Her Majesty's service. Lord Cardigan, at a private party at his own house, was supposed to have spoken to a young lady in disparaging terms of and concerning Captain Reynolds. The conversation is inaccurately reported at second-hand to Captain Reynolds by a brother officer, who had not heard it, but had heard of it. This officer (Lieutenant Cunningham) told Captain Reynolds of it privately, when the latter chanced to come into the barrack-room of Lieutenant Cunningham on the evening of the day he heard the report; and thereupon Captain Reynolds, not as captain of the 11th Hussars, but in his private capacity as a gentleman, wrote the letter in question to Lord Cardigan, not as to the commanding officer of the 11th Hussars, but in his, Lord Cardigan's, private capacity. The letter was not official, had not the slightest connexion with regimental matters, and was most strictly a private communication as from one gentleman to another. When therefore it is charged, that the letter was sent by Captain Reynolds to Lord Cardigan, his "commanding officer," it is necessary to bear in mind that, though Lord Cardigan was indeed his commanding officer, the letter was not sent, nor is it charged to have been sent to his lordship, "as" his commanding officer, nor did it in any way concern Lord Cardigan in his rights, duties, privileges, or functions of commanding officer. Lord Cardigan has two qualities or capacities, his private capacity, and his military capacity; and these we must carefully separate and distinguish in the present matter. Up to the point we are now discussing, he had appeared only in his private character as Lord Cardigan; henceforth he shifts his ground, and assumes to act only as the commanding officer of the 11th Hussars.

We will quote his own words in his opening speech. He says—

"I took the most fitting opportunity of intimating to Captain Reynolds the course I had resolved upon, and my disapprobation of the step which he had taken. This was on Friday the 28th of August, when the regiment was paraded for field-exercise. I called Captain Reynolds a considerable distance from the troops, and, in the presence of Captain Jones (the senior officer next to Captain Reynolds and myself, in the absence of the two majors) and also in the presence of the adjutant, I addressed Captain Reynolds, to the best of my recollection, in these words—'I yesterday received a communication from you, to which, I beg to inform you, that I have no reply whatever to give, as I consider your letter was of an improper nature for you to address to me; and I have to request that, in future, all letters

addressed by you to me will be strictly official, with my military rank attached to the address, and yours to your signature.' Nothing more passed; but in the afternoon I received from Captain Reynolds the letter which is set out in the charge, and which forms the main subject of it. Immediately upon receiving that letter, I sent orders to the adjutant to place Captain Reynolds in arrest, and I reported the whole transaction, by the first practicable post, to the General commanding in-chief."

What is the sum and substance of this order? It is this: " You have addressed to me a private letter of an improper nature; I, as commanding officer of the eleventh Hussars, desire that henceforth you address to me no private letter." Clearly this is the meaning of it. The sole question is, whether, as commanding officer of the regiment, he had any right to give such an order? We unhesitatingly say that he had *not*: it was not a military order; it was not official; it had no connexion with military duties; nay, on the face of it, it was entirely exclusive of, and beside, and foreign to, matters of military or official duty. It says that, as to official letters, they shall, of course, be in the form which all men know belongs to such communications. For this no order was required. It says, moreover, that no other but these official letters shall be sent. For this no order could be given. In this latter particular, the order oversteps Lord Cardigan's jurisdiction as commanding officer; that jurisdiction is circumscribed within the circle of military duties, whereas the order, expressly and professedly, relates to matters which are without, or beyond, that circle.

In giving, or assuming to give, such an order, Lord Cardigan was altogether in error, and was seeking an undue advantage for himself from his character of commanding officer. He was as much in the wrong here, as he had been in the other parts of the transaction; but he was more astute. It was an ingenious thought to call in the lieutenant-colonel of the regiment to fortify the position which had been taken by Lord Cardigan; and a person of such intuitive perception as Lord Cardigan could hardly fail, at the same time, to foresee what would be the result of such an order.

But in truth, and sober sense, let us ask what is it that determines the legality of an order, so as to make it valid and binding in a military point of view? Is it that it is given in uniform, and in front of the regiment? and is this to be the sole criterion? In that case, every conceivable imagination or caprice of the commanding officer may be converted into

an order, and an officer may be cashiered because he does not dine according to order: or because he goes to the yard contrary to order: or because he persists in styling himself with malt; or because he obstinately refuses to drink his officer. The Mutiny Act provides punishment for any officer "who shall disobey any LAWFUL command of his superior officer;" and according to Lord Cardigan's interpretation, every or ANY, command is a LAWFUL command. Our interpretation differs; and we unhesitatingly pronounce, that it is the author and subject of the order which, alone, determine its lawfulness. It is not every command of the crown that is a lawful command; but only such as the prerogative of the crown extends to. It is not every command of a bishop that is a lawful command; but only such as concern or relate to his episcopal functions. It is not every command of a judge that is a lawful command; but only such as relate to some legal proceeding which he is entrusted to decide. And, by parity of reasoning, it is not every command of the lieutenant-colonel of a regiment that is a lawful command; but only such commands as have reference to his regiment, or the good order and discipline thereof. If we look into the terms of a captain's commission, we find that he is commanded to keep his troop or his company in good order and discipline; and further, "You are to observe and follow such orders and directions from time to time as you shall receive from us, your colonel, or any other your superior officer, according to the rules and discipline of war." If it be according to the rules and discipline of war, that a captain may be ordered to hold no private communication with his commanding officer, under the penalty of being cashiered, he may equally be prohibited from holding any private communication with any other officer to be named; and if that prohibition may be given, he may equally be prohibited from holding any private communication with any other individual whomsoever to be named; and so on from step to step, there could be no act or relation of life into which an officer might not be followed by the capricious commands of his superior; nor would there be any circumstance whatsoever—however disconnected with his profession—in which he could assume for himself to act with the freedom of a private gentleman. Heaven forbid that a servitude so grievous should ever be the lot of the British army!

An order from a commanding officer to one of his captains, that he shall never presume to hold any sort of private intercourse with him, not only does not accord with, nor is in the

spirit of, his, the commanding officer's, duty, but is altogether contrary to it. It is his business to promote peace and harmony in his regiment; he should consider himself as the head of a great household; and if, unfortunately, a difference or estrangement arise between himself and one of his officers, he errs grievously in proclaiming, once and for ever, that he shuts the door against reconciliation—and even against repentance. He may have been himself the party in error: in that case it is his duty to take an opportunity of setting himself right; and if his officer have been the party to blame, it will be his duty to pardon the fault, when that officer shall have exhibited a better mind.

Lord Cardigan's order not only relates to, but it has its whole foundation in, a private matter. He obviously views the first letter as a private communication, and he does not complain of it on that ground, but because it was of "an improper nature." He had never before forbidden private communication, and therefore Captain Reynolds had the right of addressing such a letter to him. The order is prospective; it says, "you shall not do so in future." Viewing the whole matter as one entire transaction, Lord Cardigan had no right, at a certain middle point, to declare that that which before was private, shall thenceforth assume a military character; he had no right, at his own election, and with reference to the same matter, to put off his quality of a private individual, and to put on that of the commanding officer.

The whole matter being of a private nature, the only legitimate course which was open to Lord Cardigan, and which he ought to have adopted, was to have appeared and acted in his private character, and that only. He might have put the substance, or even the very words of his order, into a private note addressed to Captain Reynolds; thus—"Sir, I yesterday received a letter from you, to which I beg to inform you I have no reply to give, as I consider your letter was of an improper nature; and I have to request that in future you will address to me no letter except such as shall be strictly official. I am, sir, your obedient servant, CARDIGAN." Lord Cardigan would have had the merit of being consistent, in treating a private matter as strictly private, whilst at the same time he would treat matters of duty as strictly official. Such a note could not, any more than his verbal order, have been made "the basis of proceedings before a higher tribunal." And if Captain Reynolds should have been induced to make it "the ground of requiring personal satisfaction at his hands," Lord

Cardigan knew what his duty prescribed to him in such a case. If his lordship wished to avoid committing himself to paper at all, he might equally have spoken these same words to Captain Reynolds as a private individual, and might equally have called in Captain Jones and the adjutant as witnesses. Lord Cardigan granted, or considered that he gained, no advantage for himself, by turning his answer into an order. His reasoning is, that he avoided certain trouble by restraining from giving a written answer; but, in truth and in fact, he avoided nothing. He remained subject to all and every trial after his order, which he would have been subject to if he had given such an answer in writing as we have supposed. We thought that by giving an order as commanding officer, instead of an answer as an individual, he had subjected Captain Reynolds to a penalty in case of disservice. He was not merely in reasoning, but in fact.

With these observations we leave the second part of the charge. The court-martial, in finding Captain Reynolds guilty of the whole charge, have affirmed that his first order was improper; and that Lord Cardigan's order, in consequence, to cease all private correspondence, was, in a military sense, a lawful order of his lordship as superior officer, the violation of which exposed the offender to be cashiered. The first point we may submit to the judgment of any one; the second point we may confidently submit to the judgment of any person sufficiently intelligent to draw a distinction.

3. We proceed to the third part of the charge—That in direct disobedience of such order of his commanding officer, Captain Reynolds wrote to Lord Cardigan the insubordinate and offensive letter of the 26th of August. The writing and sending of that letter was admitted, and it may equally be admitted that the letter was angry, disrespectful, and offensive. Let us bear in mind that up to that point Lord Cardigan alone had been in the wrong. He had refused any answer to a proper and respectful communication; he had reprimanded Captain Reynolds for sending that communication; he had endeavoured to close the mouth of Captain Reynolds by giving him an order as commanding officer, which, as commanding officer, he had no right to give; he had treated Captain Reynolds, as we conceive, with harshness and injustice. What is to be expected from such treatment? Is it not natural that a man who feels himself injured, and is denied redress, will be angry? and if his passionate master his judgment, may we not expect that he will be intemperate—rash—

disrespectful?—It was even so. Hitherto Lord Cardigan alone had been to blame, henceforth Captain Reynolds divides the blame with him. But to whom does the greater portion of the blame belong? Whether to him who provokes, or to him who is provoked? Can any one hesitate to say that he, who causes an offence, is essentially a greater offender than he who is provoked or induced to commit the offence? Comparing the two, Lord Cardigan and Captain Reynolds, the primary offender is Lord Cardigan, and when we see that the punishment falls upon Captain Reynolds alone, we say that that is not justice.

Admitting, as we readily do, that there are hasty and reprehensible expressions in Captain Reynolds' second letter, what does the letter itself amount to in substance? It tells Lord Cardigan, that he is not justified in the conduct he had pursued; that he has no right to screen himself under the cloak of the commanding officer, and that it would far better become him to select a man, for the subject of his vituperation, whose hands were untied, or to act as many others had done in like cases, namely, waive his military rank, which, according to the articles of war, prevented Captain Reynolds demanding personal satisfaction. To a certain extent, we may admit the correctness of Captain Reynolds' positions; we agree that Lord Cardigan was not justified in the conduct he had pursued, that he had no right to call in aid, in this matter, his character of commanding officer; that he would have done far better to have given a satisfactory explanation, and the more especially so, because as to any question of personal satisfaction, Captain Reynolds' hands were tied by the articles of war. This disability on the part of Captain Reynolds should have been, with a generous mind, an all-powerful argument for giving him a satisfactory explanation: the turning it *against* Captain Reynolds was hard and oppressive. But although we think thus, we do not see that Lord Cardigan was called upon to waive, or ought to have waived, his military rank for the purpose of infringing the articles of war. Lord Cardigan was placed in his command, in order that he might observe, not violate, those articles.

Admitting, therefore, that Captain Reynolds was wrong in this particular of his letter, and in the general wording of his letter, it remains to consider what was the degree of his offence, or rather what was the particular offence, if any, according to martial law, of which he had been guilty. Above all, was he guilty of the precise offence imputed to him in the

charge laid before the court-martial? The charge was, that having received a certain order from his commanding officer, he had, "in direct violation and disobedience of the said order of his commanding officer," written the letter in question. This is the gravamen of the charge; it is not merely the writing a disrespectful letter, but writing a letter in disobedience of orders. We have already shown that the order in question was one which Lord Cardigan as commanding officer had no authority to give; and if we are right, it follows that Captain Reynolds incurred no penalty in disobeying it. He treated it, as we treat it, as null: he wrote to Lord Cardigan, notwithstanding that order, a private letter; and though we do not and cannot justify the tone of the letter, we must remark, that in addressing that letter as a private communication to Lord Cardigan, and not as a letter to the commanding officer of the 11th Hussars, Captain Reynolds was consistent and correct.

The gravamen of the charge falls to the ground; the act was done, but it was not done in violation and disobedience of any order which the commanding officer had authority to issue. The real offence then is reduced to this, that Captain Reynolds, in the excitement of his feelings, was induced to write, and did write, an improper and disrespectful letter to his commanding officer, not as commanding officer, but in his private capacity, and respecting a private matter. He did not write a challenge to his commanding officer; it was not open to him so to do. He was not tried for any such offence: he was not called upon to plead, and did not plead, in any such charge: he was not found guilty of any such charge: it is true, that it is to be regretted that his judges did not sentence him to be shot for any such offence! So far from writing a challenge, Captain Reynolds may be considered as writing in his defence, in the words "My hands are tied—you may do what you please to me & I am at your peril. You are my commanding officer, but I am not myself in that character. If according to your own rules, I demand satisfaction: from you I receive it, but I am not by your order, in any way bound: but I think it would be well to tell you, that you must do the same to another man, as I am equal terms with you. You are, sir, to a person under your command, am protected by your laws, the right; but so, that if you must break them, your liability, & responsibility against me. I cannot but say, it would be more consonant to reason, if in course you have chosen to break them. It is very clear, that a commanding officer is liable to communication, in virtue of his military rank, and however you are not in such a position, as a private gentleman, I could not sustain him for his conduct."

have done me." Captain Reynolds' letter was not a challenge, nor can it be in any way construed a challenge, from Captain Reynolds to Lord Cardigan. His lordship himself did not understand it as a challenge; the utmost he alleged of it in the charge was that it was offensive and insulting, and "imputed to him conduct *calculated to excite* him to depart from his duty as commanding officer;" that is, if we may guess a meaning, where there is none, that it might possibly have provoked him to forget his duty, and *send* a challenge; but this portion of the charge is altogether vague, shadowy, and unintelligible. When a person complains of the act of another in imputing certain conduct to him, he must be understood to mean that he has not pursued any such conduct. The letter in question imputes no conduct to Lord Cardigan, save as it observes upon conduct which Lord Cardigan had pursued, and urges that such conduct was unjustifiable and inconsistent. We can see that the conduct of one man may be calculated to excite another man, but we are unable to perceive how any conduct which Lord Cardigan had pursued, and still less, how any conduct which he had not pursued, could be calculated to excite him, Lord Cardigan, to depart from his duty. The charge is, as to this point, a mere absurdity. It would be equally absurd to suppose that Lord Cardigan, who had expressly taken the position of commanding officer, would be so forgetful of that position and of his duty, as to *send* a challenge, by which he would have subjected himself to be cashiered. Captain Reynolds was tried for a military offence; he could not be tried for any other, and no article of military law has provided that an officer shall be cashiered for that sort of conduct which is not in itself an offence, but which only conveys "an imputation of conduct calculated to excite" another to commit some offence.

Not only was the letter itself not a challenge, but there was sufficient reason why Lord Cardigan should not attempt or endeavour, before a court-martial, to treat it as a challenge. To use the memorable expression of Lord Liverpool, that would have been "too bad!" The 2nd article, 17th section, of the Articles of War, is thus: "No officer, non-commissioned officer, or soldier, shall presume to give or send a challenge to any other officer, non-commissioned officer, or soldier to fight a duel, upon pain, if a commissioned officer, of being cashiered." When Lord Cardigan appeared as prosecutor before the court-martial, it was notorious that, but a few days before, he had sent a challenge to another officer, late a junior of his own regiment; that he had gone

out and fought a duel with their officer, and had wounded him. This gentleman, Mr. Harvey Lupton, was then, and is now, a lieutenant in Her Majesty's service. Under such circumstances, that Lord Cardigan should have awarded the charge against Captain Reynolds as for the breach of discipline or conduct of war, would not have been possible; and as it is, it may seem something strange that Lord Cardigan has been allowed to infringe this article of war, without being punished, which is the express penalty for the offence, not, without any sort of censure or animadversion, whilst Captain Reynolds has been cashiered for writing an improper and disrespectful letter, against which the law has declared no such penalty.

As the offence does not fall under the article which applies to the sending a challenge, we naturally inquire, what other article of war is there which applies to it? and what is the punishment prescribed for it?

The 5th article, section 2, is to this effect: "Any officer, non-commissioned officer, or soldier, who shall strike his superior officer, or shall draw, or offer to draw, or lift up any weapon, or offer any violence against him being in the execution of his office, on any pretence whatsoever, or shall disobey any lawful command of his superior officer, shall suffer death, or such other punishment as by a general court-martial shall be awarded." Captain Reynolds was tried for disobedience of a command of his superior officer. We presume it is under this article that the court-martial have found Captain Reynolds guilty. But we have already shown that Captain Reynolds did *not* disobey any lawful command of his superior officer; therefore he was not amenable under this article.

The 29th article, section 16, declares that "whatsoever commissioned officer shall be convicted before a general court-martial of behaving in a scandalous infamous manner, such as is unbecoming the character of an officer and a gentleman, shall be discharged from our service. Provided, however, that in every charge preferred against an officer for such scandalous or unbecoming behaviour, the fact or facts whercon the same is founded shall be clearly specified." This article does not apply. Captain Reynolds neither behaved, nor was charged with behaving, in a scandalous infamous manner. He wrote an intemperate letter, but his conduct was neither scandalous nor infamous; and this article of war is directed against an entirely different class of offences.

There remains but one other article of war to be quoted. In section 24, at the conclusion of the articles, and "relating to

the foregoing articles," it is declared that, "all crimes not capital, and all disorders and neglects which officers and soldiers may be guilty of, to the prejudice of good order and military discipline, though not specified in these rules and articles, are to be taken cognizance of by a general or regimental court-martial, according to the nature and degree of the offence, and to be punished at their discretion." This article, vague and general as it is, does not apply. Captain Reynolds was tried for disobedience of an order of his commanding officer, which crime, as we have just seen, *is* capital, and *is* specified in the previous rules and articles. If he had been tried for sending a challenge, which he was not, that crime also *is* specified in the previous rules and articles. The letter of Captain Reynolds was not a "neglect;" and as to "disorders," the conjunctive expression "disorders and neglects" shows that the class of offence pointed at is *ejusdem generis*. Even taken alone, the word "disorders" refers properly not to a thing done, but to a thing omitted. It is, as the great lexicographer explains it, "a want of regular disposition, a neglect of rule."

There is no other article which has any sort of bearing on the case: and though we have thus discussed the several articles, we do so under protest that, as Captain Reynolds was arraigned for disobedience of an order, the whole question must be judged by that article of war, and only by that, which relates to disobedience of orders.

The crime charged is a specific crime, and for that crime alone could the prisoner be tried and sentenced. Blackstone, speaking of our system of law, says with an honest pride, "one of the greatest advantages of our English law is, that not only the crimes themselves which it punishes, but also the penalties which it inflicts, are ascertained and notorious; nothing is left to arbitrary discretion. Indictments must have a precise and sufficient certainty. The time and place are to be ascertained. The offence itself must be set forth with clearness and certainty."<sup>\*</sup> And he quotes from Lord Coke the well-known words: "*Misera est servitus ubi jus est vagum aut incognitum.*"

These are more than principles of law—they are principles of abstract justice; they apply to all states and conditions of men. When justice is invoked, it should be administered in the army as fully and completely as it is elsewhere. The words of Magna Charta are emphatic: "*Nulli negabimus aut differemus rectum vel justitiam.*" The charge in the present case

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\* Black. Comm. vol. i. 117; vol. iv. 306.

is the indictment ; and Captain Reynolds was bound to plead to, and intitled to be tried upon, that charge, and that alone.

We have dissected and fully examined the several portions of the charge, and we have found that every portion of the charge, as laid, successively breaks down. The offence of Captain Reynolds is reduced to the narrowest compass—the sending an improper and disrespectful letter, private in its nature and subject, to his commanding officer. If the first, second, and third parts of the charge fail, the conclusion founded on them fails also. We cannot admit that writing a disrespectful letter is “conduct unbecoming an officer and a gentleman,” unless it be in this general sense, that *every* or *any* departure from right is unbecoming and improper. Thus interpreted, the assertion is a truism. We would say that an officer or a gentleman who writes, speaks, or acts, hastily and angrily, wants self-command, or judgment, or temper, and we would blame him accordingly. But it would be too severe to say that he had forfeited the character of an officer or a gentleman ; and we must always measure the offence by the amount of provocation.

We admit that Captain Reynolds has erred ; but we do not find that the offence he has committed is against any of the articles of war. We have looked for the article, but in vain. If he had not committed an offence against the articles of war, then he was not triable before a court-martial, nor is the sentence of the court-martial valid. Nevertheless, his offence might have been suitably punished ; he might have been reprimanded by the general commanding-in-chief ; he might have been placed for a time on half-pay, as Lord Cardigan was formerly ; he might have been removed to another regiment, where he would have come in as junior captain ; and if none of these sufficed, he might even have been punished more severely.

The court-martial, however, have found Captain Reynolds guilty of all and every portion of the charge ; they have found the facts, have affirmed the conclusion, and administered the punishment. And this brings us to another branch of our subject. We have now to make some observations on the court, its constitution, its proceedings, the evidence which was offered to it, and the sentence it pronounced.

The court was composed, as we observe from a printed list, of fifteen members, namely, the president, who was a general officer, eight colonels, or lieutenant-colonels, two majors, and four captains. There was therefore a considerable preponderance of officers of superior rank, that is to say superior to the

an order, and an officer may be cashiered because he does not dine according to order; or because he goes to the play contrary to order; or because he persists in defiling himself with malt; or because he obstinately refuses to drink his claret. The Mutiny Act provides punishment for any officer "who shall disobey any **LAWFUL** command of his superior officer;" and according to Lord Cardigan's interpretation, **EVERY**, or **ANY**, command is a **LAWFUL** command. Our interpretation differs; and we unhesitatingly pronounce, that it is the *nature and subject* of the order which, alone, determine its lawfulness. It is not every command of the crown that is a lawful command; but only such as the prerogative of the crown extends to. It is not every command of a bishop that is a lawful command; but only such as concern or relate to his episcopal functions. It is not every command of a judge that is a lawful command; but only such as relate to some legal proceeding which he is entrusted to decide. And, by parity of reasoning, it is not every command of the lieutenant-colonel of a regiment that is a lawful command; but only such commands as have reference to his regiment, or the good order and discipline thereof. If we look into the terms of a captain's commission, we find that he is commanded to keep his troop or his company in good order and discipline; and further, "You are to observe and follow such orders and directions from time to time as you shall receive from us, your colonel, or any other your superior officer, *according to the rules and discipline of war.*" If it be according to the rules and discipline of war, that a captain may be ordered to hold no private communication with his commanding officer, under the penalty of being cashiered, he may equally be prohibited from holding any private communication with any other officer to be named; and if that prohibition may be given, he may equally be prohibited from holding any private communication with any other individual whomsoever to be named; so on from step to step, there could be no act or relation into which an officer might not be followed by the cautions commands of his superior; nor would there be any instance whatsoever—however disconnected with his profession—in which he could assume for himself to act with the freedom of a private gentleman. Heaven forbid that a service so grievous should ever be the lot of the British army! An order from a commanding officer to one of his captains, "You shall never presume to hold any sort of private intercourse with him, unless it only does not accord with, nor is in the

addressed by you to me will be strictly official, with my military rank attached to the address, and yours to your signature.' Nothing more passed ; but in the afternoon I received from Captain Reynolds the letter which is set out in the charge, and which forms the main subject of it. Immediately upon receiving that letter, I sent orders to the adjutant to place Captain Reynolds in arrest, and I reported the whole transaction, by the first practicable post, to the General commanding in-chief."

What is the sum and substance of this order ? It is this : " You have addressed to me a private letter of an improper nature ; I, as commanding officer of the eleventh Hussars, desire that henceforth you address to me no private letter." Clearly this is the meaning of it. The sole question is, whether, as commanding officer of the regiment, he had any right to give such an order ? We unhesitatingly say that he had *not* : it was not a military order ; it was not official ; it had no connexion with military duties ; nay, on the face of it, it was entirely exclusive of, and beside, and foreign to, matters of military or official duty. It says that, as to official letters, they shall, of course, be in the form which all men know belongs to such communications. For this no order was required. It says, moreover, that no other but these official letters shall be sent. For this no order could be given. In this latter particular, the order oversteps Lord Cardigan's jurisdiction as commanding officer ; that jurisdiction is circumscribed within the circle of military duties, whereas the order, expressly and professedly, relates to matters which are without, or beyond, that circle.

In giving, or assuming to give, such an order, Lord Cardigan was altogether in error, and was seeking an undue advantage for himself from his character of commanding officer. He was as much in the wrong here, as he had been in the other parts of the transaction ; but he was more astute. It was an ingenious thought to call in the lieutenant-colonel of the regiment to fortify the position which had been taken by Lord Cardigan ; and a person of such intuitive perception as Lord Cardigan could hardly fail, at the same time, to foresee what would be the result of such an order.

But in truth, and sober sense, let us ask what is it that determines the legality of an order, so as to make it valid and binding in a military point of view ? Is it that it is given in uniform, and in front of the regiment ? and is this to be the sole criterion ? In that case, every conceivable imagination or caprice of the commanding officer may be converted into

an order, and an officer may be cashiered because he does not dine according to order ; or because he goes to the play contrary to order ; or because he persists in defiling himself with malt ; or because he obstinately refuses to drink his claret. The Mutiny Act provides punishment for any officer “ who shall disobey any **LAWFUL** command of his superior officer ;” and according to Lord Cardigan’s interpretation, **EVERY**, or **ANY**, command is a **LAWFUL** command. Our interpretation differs ; and we unhesitatingly pronounce, that it is the *nature and subject* of the order which, alone, determine its lawfulness. It is not every command of the crown that is a lawful command ; but only such as the prerogative of the crown extends to. It is not every command of a bishop that is a lawful command ; but only such as concern or relate to his episcopal functions. It is not every command of a judge that is a lawful command ; but only such as relate to some legal proceeding which he is entrusted to decide. And, by parity of reasoning, it is not every command of the lieutenant-colonel of a regiment that is a lawful command ; but only such commands as have reference to his regiment, or the good order and discipline thereof. If we look into the terms of a captain’s commission, we find that he is commanded to keep his troop or his company in good order and discipline ; and further, “ You are to observe and follow such orders and directions from time to time as you shall receive from us, your colonel, or any other your superior officer, *according to the rules and discipline of war.*” If it be according to the rules and discipline of war, that a captain may be ordered to hold no private communication with his commanding officer, under the penalty of being cashiered, he may equally be prohibited from holding any private communication with any other officer to be named ; and if that prohibition may be given, he may equally be prohibited from holding any private communication with any other individual whomsoever to be named ; and so on from step to step, there could be no act or relation of life into which an officer might not be followed by the capricious commands of his superior ; nor would there be any circumstance whatsoever—however disconnected with his profession—in which he could assume for himself to act with the freedom of a private gentleman. Heaven forbid that a servitude so grievous should ever be the lot of the British army !

An order from a commanding officer to one of his captains, that he shall never presume to hold any sort of private intercourse with him, not only does not accord with, nor is in the

spirit of, his, the commanding officer's, duty, but is altogether contrary to it. It is his business to promote peace and harmony in his regiment; he should consider himself as the head of a great household; and if, unfortunately, a difference or estrangement arise between himself and one of his officers, he errs grievously in proclaiming, once and for ever, that he shuts the door against reconciliation—and even against repentance. He may have been himself the party in error: in that case it is his duty to take an opportunity of setting himself right; and if his officer have been the party to blame, it will be his duty to pardon the fault, when that officer shall have exhibited a better mind.

Lord Cardigan's order not only relates to, but it has its whole foundation in, a private matter. He obviously views the first letter as a private communication, and he does not complain of it on that ground, but because it was of "an improper nature." He had never before forbidden private communication, and therefore Captain Reynolds had the right of addressing such a letter to him. The order is prospective; it says, "you shall not do so in future." Viewing the whole matter as one entire transaction, Lord Cardigan had no right, at a certain middle point, to declare that that which before was private, shall thenceforth assume a military character; he had no right, at his own election, and with reference to the same matter, to put off his quality of a private individual, and to put on that of the commanding officer.

The whole matter being of a private nature, the only legitimate course which was open to Lord Cardigan, and which he ought to have adopted, was to have appeared and acted in his private character, and that only. He might have put the substance, or even the very words of his order, into a private note addressed to Captain Reynolds; thus—"Sir, I yesterday received a letter from you, to which I beg to inform you I have no reply to give, as I consider your letter was of an improper nature; and I have to request that in future you will address to me no letter except such as shall be strictly official. I am, sir, your obedient servant, CARDIGAN." Lord Cardigan would have had the merit of being consistent, in treating a private matter as strictly private, whilst at the same time he would treat matters of duty as strictly official. Such a note could not, any more than his verbal order, have been made "the basis of proceedings before a higher tribunal." And if Captain Reynolds should have been induced to make it "the ground of requiring personal satisfaction at his hands," Lord

Cardigan knew what his duty prescribed to him in such a case. If his lordship wished to avoid committing himself to paper at all, he might equally have spoken these same words to Captain Reynolds as a private individual, and might equally have called in Captain Jones and the adjutant as witnesses. Lord Cardigan gained, or considered that he gained, an advantage for himself, by turning his answer into an order. His reasoning is, that he avoided certain risks by refraining from giving a written answer; but, in truth and in fact, he avoided nothing. He remained subject to any and every risk, after his order, which he would have been subject to, if he had given such an answer in writing as we have supposed; but he thought that by giving an order as commanding officer, instead of an answer as an individual, he had subjected Captain Reynolds to a penalty in case of disobedience. He erred not merely in reasoning, but in feeling.

With these observations we leave the second portion of the charge. The court-martial, in finding Captain Reynolds guilty of the whole charge, have affirmed that his first letter was improper; and that Lord Cardigan's order, in consequence, to cease all private correspondence, was, in a military sense, a lawful order of his lordship as superior officer, the violation of which exposed the offender to be cashiered. The first point we may submit to the judgment of any one; the second point we may confidently submit to the judgment of any person sufficiently intelligent to draw a distinction.

3. We proceed to the third part of the charge—That in direct disobedience of such order of his commanding officer, Captain Reynolds wrote to Lord Cardigan the insubordinate and offensive letter of the 28th of August. The writing and sending of that letter was admitted, and it may equally be admitted that the letter was angry, disrespectful, and offensive. Let us bear in mind that up to this point Lord Cardigan alone had been in the wrong. He had refused any answer to a proper and respectful communication; he had reprimanded Captain Reynolds for sending that communication; he had endeavoured to close the mouth of Captain Reynolds by giving him an order as commanding officer, which, as commanding officer, he had no right to give; he had treated Captain Reynolds, as we conceive, with harshness and injustice. What is to be expected from such treatment? Is it not natural that a man who feels himself injured, and is denied redress, will be angry? and if his passions master his judgment, may we not expect that he will be intemperate—rash—

disrespectful?—It was even so. Hitherto Lord Cardigan alone had been to blame, henceforth Captain Reynolds divides the blame with him. But to whom does the greater portion of the blame belong? Whether to him who provokes, or to him who is provoked? Can any one hesitate to say that he, who causes an offence, is essentially a greater offender than he who is provoked or induced to commit the offence? Comparing the two, Lord Cardigan and Captain Reynolds, the primary offender is Lord Cardigan, and when we see that the punishment falls upon Captain Reynolds alone, we say that that is not justice.

Admitting, as we readily do, that there are hasty and reprehensible expressions in Captain Reynolds' second letter, what does the letter itself amount to in substance? It tells Lord Cardigan, that he is not justified in the conduct he had pursued; that he has no right to screen himself under the cloak of the commanding officer, and that it would far better become him to select a man, for the subject of his vituperation, whose hands were untied, or to act as many others had done in like cases, namely, waive his military rank, which, according to the articles of war, prevented Captain Reynolds demanding personal satisfaction. To a certain extent, we may admit the correctness of Captain Reynolds' positions; we agree that Lord Cardigan was not justified in the conduct he had pursued, that he had no right to call in aid, in this matter, his character of commanding officer; that he would have done far better to have given a satisfactory explanation, and the more especially so, because as to any question of personal satisfaction, Captain Reynolds' hands were tied by the articles of war. This disability on the part of Captain Reynolds should have been, with a generous mind, an all-powerful argument for giving him a satisfactory explanation: the turning it *against* Captain Reynolds was hard and oppressive. But although we think thus, we do not see that Lord Cardigan was called upon to waive, or ought to have waived, his military rank for the purpose of infringing the articles of war. Lord Cardigan was placed in his command, in order that he might observe, not violate, those articles.

Admitting, therefore, that Captain Reynolds was wrong in this particular of his letter, and in the general wording of his letter, it remains to consider what was the degree of his offence, or rather what was the particular offence, if any, according to martial law, of which he had been guilty. Above all, was he guilty of the precise offence imputed to him in the

charge laid before the court-martial? The charge was, that having received a certain order from his commanding officer, he had, "in direct violation and disobedience of the said order of his commanding officer," written the letter in question. This is the gravamen of the charge; it is not merely the writing a disrespectful letter, but writing a letter in disobedience of orders. We have already shown that the order in question was one which Lord Cardigan as commanding officer had no authority to give; and if we are right, it follows that Captain Reynolds incurred no penalty in disobeying it. He treated it, as we treat it, as null: he wrote to Lord Cardigan, notwithstanding that order, a private letter; and though we do not and cannot justify the tone of the letter, we must remark, that in addressing that letter as a private communication to Lord Cardigan, and not as a letter to the commanding officer of the 11th Hussars, Captain Reynolds was consistent and correct.

The gravamen of the charge falls to the ground; the act was done, but it was not done in violation and disobedience of any order which the commanding officer had authority to issue. The real offence then is reduced to this, that Captain Reynolds, in the excitement of his feelings, was induced to write, and did write, an improper and disrespectful letter to his commanding officer, not as commanding officer, but in his private capacity, and respecting a private matter. He did not write a challenge to his commanding officer; it was not open to him so to do. He was not tried for any such offence; he was not called upon to plead, and did not plead, to any such charge; he was not found guilty of any such charge; it is but charity to hope that his judges did not *sentence* him to be cashiered for any such offence! So far from sending a challenge, Captain Reynolds may be considered as saying in his letter to this effect: "My hands are tied—you may injure and defame me without peril. You are my commanding officer, and can screen yourself in that character. If another man wronged me, I could demand satisfaction; from you I cannot. You may endeavour, by your order, to stop my mouth; but I must be allowed to tell you, that you would do better to attack a man who is on equal terms with you, than me, who, as a captain under your command, am powerless to resent the injury you do me. Or, if you must needs vent your vindictive reproaches against me, I cannot but say, it would better become you, instead of the course you have chosen to adopt, in giving me an order as commanding officer to cease all communication, to waive your military rank, and thereby place me on such a footing that, as a private gentleman, I could seek satisfaction for the wrong you

have done me." Captain Reynolds' letter was not a challenge, nor can it be in any way construed a challenge, from Captain Reynolds to Lord Cardigan. His lordship himself did not understand it as a challenge; the utmost he alleged of it in the charge was that it was offensive and insulting, and "imputed to him conduct *calculated to excite* him to depart from his duty as commanding officer;" that is, if we may guess a meaning, where there is none, that it might possibly have provoked him to forget his duty, and *send* a challenge; but this portion of the charge is altogether vague, shadowy, and unintelligible. When a person complains of the act of another in imputing certain conduct to him, he must be understood to mean that he has not pursued any such conduct. The letter in question imputes no conduct to Lord Cardigan, save as it observes upon conduct which Lord Cardigan had pursued, and urges that such conduct was unjustifiable and inconsistent. We can see that the conduct of one man may be calculated to excite another man, but we are unable to perceive how any conduct which Lord Cardigan had pursued, and still less, how any conduct which he had not pursued, could be calculated to excite him, Lord Cardigan, to depart from his duty. The charge is, as to this point, a mere absurdity. It would be equally absurd to suppose that Lord Cardigan, who had expressly taken the position of commanding officer, would be so forgetful of that position and of his duty, as to *send* a challenge, by which he would have subjected himself to be cashiered. Captain Reynolds was tried for a military offence; he could not be tried for any other, and no article of military law has provided that an officer shall be cashiered for that sort of conduct which is not in itself an offence, but which only conveys "an imputation of conduct calculated to excite" another to commit some offence.

Not only was the letter itself not a challenge, but there was sufficient reason why Lord Cardigan should not attempt or endeavour, before a court-martial, to treat it as a challenge. To use the memorable expression of Lord Liverpool, that would have been "too bad!" The 2nd article, 17th section, of the Articles of War, is thus: "No officer, non-commissioned officer, or soldier, shall presume to give or send a challenge to any other officer, non-commissioned officer, or soldier to fight a duel, upon pain, if a commissioned officer, of being cashiered." When Lord Cardigan appeared as prosecutor before the court-martial, it was notorious that, but a few days before, he had sent a challenge to another officer, late a junior of his own regiment; that he had gone

out and fought a duel with that officer, and had wounded him. This gentleman, Mr. Harvey Tuckett, was then, and is now, a lieutenant in Her Majesty's service. Under such circumstances, that Lord Cardigan should have opened his charge against Captain Reynolds as for the breach of that same article of war, would not have been possible; and as it is, it may seem something strange that Lord Cardigan has been allowed to infringe this article of war, without being cashiered, which is the express penalty for the offence, nay, without any sort of censure or animadversion, whilst Captain Reynolds has been cashiered for writing an improper and disrespectful letter, against which the law has declared no such penalty.

As the offence does not fall under the article which applies to the sending a challenge, we naturally inquire, what other article of war is there which applies to it? and what is the punishment prescribed for it?

The 5th article, section 2, is to this effect: "Any officer, non-commissioned officer, or soldier, who shall strike his superior officer, or shall draw, or offer to draw, or lift up any weapon, or offer any violence against him being in the execution of his office, on any pretence whatsoever, or shall disobey any lawful command of his superior officer, shall suffer death, or such other punishment as by a general court-martial shall be awarded." Captain Reynolds was tried for disobedience of a command of his superior officer. We presume it is under this article that the court-martial have found Captain Reynolds guilty. But we have already shown that Captain Reynolds did *not* disobey any lawful command of his superior officer; therefore he was not amenable under this article.

The 29th article, section 16, declares that "whatsoever commissioned officer shall be convicted before a general court-martial of behaving in a scandalous infamous manner, such as is unbecoming the character of an officer and a gentleman, shall be discharged from our service. Provided, however, that in every charge preferred against an officer for such scandalous or unbecoming behaviour, the fact or facts whereon the same is founded shall be clearly specified." This article does not apply. Captain Reynolds neither behaved, nor was charged with behaving, in a scandalous infamous manner. He wrote an intemperate letter, but his conduct was neither scandalous nor infamous; and this article of war is directed against an entirely different class of offences.

There remains but one other article of war to be quoted. In section 24, at the conclusion of the articles, and "relating to

the foregoing articles," it is declared that, "all crimes not capital, and all disorders and neglects which officers and soldiers may be guilty of, to the prejudice of good order and military discipline, though not specified in these rules and articles, are to be taken cognizance of by a general or regimental court-martial, according to the nature and degree of the offence, and to be punished at their discretion." This article, vague and general as it is, does not apply. Captain Reynolds was tried for disobedience of an order of his commanding officer, which crime, as we have just seen, is capital, and is specified in the previous rules and articles. If he had been tried for sending a challenge, which he was not, that crime also is specified in the previous rules and articles. The letter of Captain Reynolds was not a "neglect;" and as to "disorders," the conjunctive expression "disorders and neglects" shows that the class of offence pointed at is *ejusdem generis*. Even taken alone, the word "disorders" refers properly not to a thing done, but to a thing omitted. It is, as the great lexicographer explains it, "a want of regular disposition, a neglect of rule."

There is no other article which has any sort of bearing on the case: and though we have thus discussed the several articles, we do so under protest that, as Captain Reynolds was arraigned for disobedience of an order, the whole question must be judged by that article of war, and only by that, which relates to disobedience of orders.

The crime charged is a specific crime, and for that crime alone could the prisoner be tried and sentenced. Blackstone, speaking of our system of law, says with an honest pride, "one of the greatest advantages of our English law is, that not only the crimes themselves which it punishes, but also the penalties which it inflicts, are ascertained and notorious; nothing is left to arbitrary discretion. Indictments must have a precise and sufficient certainty. The time and place are to be ascertained. The offence itself must be set forth with clearness and certainty."\* And he quotes from Lord Coke the well-known words: "*Misera est scriitus ubi jus est vagum aut incognitum.*"

These are more than principles of law—they are principles of abstract justice; they apply to all states and conditions of men. When justice is invoked, it should be administered in the army as fully and completely as it is elsewhere. The words of Magna Charta are emphatic: "*Nulli negabimus aut differemus rectum vel justitiam.*" The charge in the present case

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\* Black. Comm. vol. i. 417; vol. iv. 306.

is the indictment ; and Captain Reynolds was bound to plead to, and intitled to be tried upon, that charge, and that alone.

We have dissected and fully examined the several portions of the charge, and we have found that every portion of the charge, as laid, successively breaks down. The offence of Captain Reynolds is reduced to the narrowest compass—the sending an improper and disrespectful letter, private in its nature and subject, to his commanding officer. If the first, second, and third parts of the charge fail, the conclusion founded on them fails also. We cannot admit that writing a disrespectful letter is “conduct unbecoming an officer and a gentleman,” unless it be in this general sense, that *every* or *any* departure from right is unbecoming and improper. Thus interpreted, the assertion is a truism. We would say that an officer or a gentleman who writes, speaks, or acts, hastily and angrily, wants self-command, or judgment, or temper, and we would blame him accordingly. But it would be too severe to say that he had forfeited the character of an officer or a gentleman ; and we must always measure the offence by the amount of provocation.

We admit that Captain Reynolds has erred ; but we do not find that the offence he has committed is against any of the articles of war. We have looked for the article, but in vain. If he had not committed an offence against the articles of war, then he was not triable before a court-martial, nor is the sentence of the court-martial valid. Nevertheless, his offence might have been suitably punished ; he might have been reprimanded by the general commanding-in-chief ; he might have been placed for a time on half-pay, as Lord Cardigan was formerly ; he might have been removed to another regiment, where he would have come in as junior captain ; and if none of these sufficed, he might even have been punished more severely.

The court-martial, however, have found Captain Reynolds guilty of all and every portion of the charge ; they have found the facts, have affirmed the conclusion, and administered the punishment. And this brings us to another branch of our subject. We have now to make some observations on the court, its constitution, its proceedings, the evidence which was offered to it, and the sentence it pronounced.

The court was composed, as we observe from a printed list, of fifteen members, namely, the president, who was a general officer, eight colonels, or lieutenant-colonels, two majors, and four captains. There was therefore a considerable preponderance of officers of superior rank, that is to say superior to the

prisoner ; and as the majority decides, whatever was done by the court may have been the act of any eight of these officers. The power of selection of the members rests with the general commanding-in-chief ; and we are not aware whether, in this instance, any custom as to the rank of the officers was departed from, though it has been alleged that it was. The judge-advocate, whose duty it is to inform and assist the court in matters of law, was stated to be a brigade-major in the army.

The first question that was asked of Lord Cardigan in cross-examination was, whether Captain Reynolds was not a captain in the regiment when he joined ? Thereupon the court was cleared, and upon the parties being re-admitted, the judge-advocate informed Captain Reynolds, "that in his cross-examination he must confine himself to the charge." Another question was then put to Lord Cardigan relative to his conduct to Captain Reynolds at Canterbury and at Brighton, and again the court was cleared, and again Captain Reynolds was informed "that the question could not be put, and he must confine his questions strictly to the charge, and must not cross-examine on matters not before the court." According to this decision, the terms on which the parties were, before and up to the 27th August, 1840, and all the causes and circumstances which led to those terms, and all the irritability which might have been and was excited in the mind of Captain Reynolds by the conduct which Lord Cardigan had pursued towards him, were excluded from the consideration of the court. Assuming that all these circumstances, if shewn, would not acquit him of the charge, is it not clear that nevertheless they might affect the *degree* of the offence ? and above all, that they might and ought to affect the measure of the punishment ? Lord Cardigan had himself, in his opening speech, led the way to the questions proposed in cross-examination. He had said, "Captain Reynolds and myself were not on terms of communication, except in matters of duty." Was it not natural, therefore, to ask him, how it was that such terms, or want of terms, had arisen between them ? According to this decision of the court, if the fact had been that from the day of Lord Cardigan taking the command of the regiment, until the 27th August, 1840, his conduct towards Captain Reynolds had been a continued series of persecution, annoyance, injustice, and provocation, the degree of Captain Reynolds' offence, and the measure of his punishment, would nevertheless be just the same as if he had wantonly and grossly, and without the shadow of a reason, insulted his commanding officer, whom he was bound to honour

and respect. To refuse weight to certain evidence is one thing; to say that no such evidence can be admitted is quite another thing.

In Captain Reynolds' defence, we find the following expressions :

"I was prepared, as part of my defence, with a very large body of evidence, as well that of officers who have been, as of those who now are, in the 11th Hussars, to prove that Lord Cardigan's conduct towards me, and to the other officers of the regiment, had been very irritating and offensive. I was also prepared to cross-examine the witnesses on the part of the prosecution to the same effect. The court decided that such evidence on cross-examination was not admissible ; to that decision I most respectfully bow. I have still that direct evidence ready, and shall offer it to the court, who will decide whether it is admissible or not ; but I am bound, in explanation to the court, and also for the benefit of the law advisers of the crown, who will have to revise these proceedings, to state the reasons on which I submit, and am advised by my counsel that this evidence is admissible. Upon the whole evidence as given, each member of the court has to determine two things : first, whether I am guilty or not of the charge ; and secondly, if guilty, the amount of the punishment. In the first place, as I shall show, the second letter was written under irritating conduct on the part of Lord Cardigan ; it is obvious that the degree of irritation materially affects the degree of my offence, if I am guilty of any ; and it follows that provoking and offensive conduct on this occasion is to be measured and judged by Lord Cardigan's conduct on other and former occasions. In that view such evidence is material in awarding the quantum of punishment, if punishment is to be awarded ; but this is also evidence, it is submitted, as affecting my guilt or innocence of the charge itself. The question is one as to the admissibility, not as to the effect of the evidence. The court cannot judge of the effect, until the evidence is admitted.

"On Wednesday the 26th, I heard with indignation and surprise that a report was circulated in Brighton, that Lord Cardigan, at a private party at his own house, had said that, 'as long as he lived, neither I nor Captain John William Reynolds should ever enter his house.' I trust that I then felt as every gentleman and every man of honour would feel upon such an occasion. I felt that such report, uncontradicted, was calculated to rob me of my good name, and that it would injure me in my station in society. I felt, and still feel, that such matter came with double force, when reported as emanating from my commanding officer, and that commanding officer a peer of the realm. Here I must pause, and call upon each individual member of this court to reflect on the nature and effect of such report against an officer situated as I then was. Lord Cardigan had a perfect right to choose his visitors ; but, neither as a man, nor a commanding officer, was he justified in saying that I should never enter his doors

again, for that necessarily implies that I had been guilty of some improper, dishonourable, or immoral conduct. In the letter which I wrote, there are strong, and what, under other circumstances, might be considered offensive expressions ; but, whether insolent or offensive, under the particular circumstances, must be judged by the aggravating conduct of Lord Cardigan. Each case must stand or fall by its own circumstances. There is no general rule by which to judge whether a particular letter be objectionable or not. I fully and freely admit, that there are words and expressions in that letter which I never would have used to Lord Cardigan, or any other man, excepting stung as I was, and goaded by the injuries heaped on me by Lord Cardigan. There is no suggestion made in the charge, or in the opening address, that the two circumstances mentioned in the letter did not happen. The concluding words in the letter are alone difficult to justify ; but surely no man can say that a commanding officer, who refuses to do the justice to one under his command of denying or justifying the report of an aspersion like this, holds that rank, by his merit or capacity to command others ; for little, indeed, is a person able to command others, who cannot govern himself. The court will judge whether the words of this letter are too strong or not. If they consider them too strong, they will still have to say, in their honest judgment and opinion, whether they are not excused under the peculiar and aggravating circumstances in which they were written. I shall call before you several officers who served with me in India in the 11th Light Dragoons—some of whom are still in the 11th Hussars. They will prove to you, that during the time they have known me, I have ever been an attentive and active officer in the discharge of my regimental duties ; that I have been subordinate, and ever respectful to my superiors ; that I have been upon excellent terms with those of equal or junior rank to myself ; some of them will tell the court that I have been the cause of allaying their feelings when irritated. They will prove to you, that up to the time of the return of the regiment to England, the greatest harmony existed between the commanding officer and the officers at large. I use this evidence for the purpose of showing, that if for nearly fifteen years passed in this regiment, and in my younger days, when I was more likely to err than now, I had never been guilty of insubordination, or what Lord Cardigan calls ‘disrespectful and insolent conduct, unbecoming the character of an officer and a gentleman,’—my act on this occasion proceeded, not from an insolent or insubordinate spirit, but from the goading and oppressive conduct of Lord Cardigan.”

Lieutenant Cunningham (a young officer of nineteen), was produced as a witness to prove the injurious report in question ; and here arises a sort of episode in the case, which is worthy of notice. It appears, that after telling Captain Reynolds of the report, he had gone and told it also privately to Major Jenkins. Major Jenkins had told it to Lord Cardigan, and

Lord Cardigan had desired Major Jenkins to obtain from Lieutenant Cunningham a written statement of what had passed. Accordingly, on the following day, Major Jenkins examined Lieutenant Cunningham; and he, Major Jenkins, reduced the statement into writing. It was signed by Lieutenant Cunningham, and given to Lord Cardigan. Lieutenant Cunningham was not told, at the time, that the statement was to be used publicly, or that it was to go into the hands of Lord Cardigan. Before the court-martial, Lieutenant Cunningham deposed that he had applied several times to Major Jenkins for a copy of this statement, but never could get it. He applied for it in order to refresh his memory; and it was only after he had been examined and cross-examined, and had given his evidence to the best of his remembrance, that this statement in writing is produced to him in court by Lord Cardigan, not to refresh his memory, but to contradict his testimony and affect his credit. Such a mode of examination (as was truly said by Captain Reynolds), is not to be tolerated in any court of justice; and we might expect that the court-martial would, with generous indignation, have observed upon it in their sentence. We shall see whether they did so,—and what, in fact, they did.

Major Morse Cooper, late of the 11th Light Dragoons, was produced as a witness for Captain Reynolds. His examination was as follows:—

“The Judge Advocate: You are on half-pay, I believe?—I am a major unattached.

“Major Cooper examined by the prisoner: Are you a major unattached, and were you in the army since the battle of Waterloo? Yes.

“Were you any part of that time in the 11th Light Dragoons? Yes, twenty-one years.

“During what part of that time did you serve under Lord Cardigan?—About eighteen months.

“Here a question was handed to the court on the part of Captain Reynolds, on perusing which the room was again ordered to be cleared.

“After a delay of about three quarters of an hour, the public were again admitted.

“The Judge-Advocate: On the fourth question being put to the last witness by Captain Reynolds, the court have thought proper to consider whether it should be put; and on the court being reopened, they declare the following to be their decision:—The court have fully considered the question which has been put by Captain Reynolds, and they are of opinion that it cannot be admitted, and cannot there-

sore be recognised. They wish to convey their desire to Captain Reynolds, that he would, in his examination, confine himself to the charge before them, the court not being authorised by her Majesty's warrant to carry their investigation into other matters. The court further said that they were desirous of giving the prisoner every latitude consistent with their duty under the royal warrant, by virtue of which they are now assembled.

"Examination resumed : How long have you known me ?—I first knew Captain Reynolds when he was under my command on board ship in 1831. He was then a lieutenant.

"During the time you were in the regiment had you an opportunity of examining my conduct as an officer and a gentleman ?—Frequently.

"What is my character and conduct with reference to my regimental duties, and to subordination and respect to my commanding and superior officers ?—I have every reason to think Captain Reynolds is a man of the highest honour, strictest integrity, and gentlemanly bearing as an officer ; most active and zealous in doing all that could be required of him, and, in my estimation, a man incapable of an insubordinate act, unless under some peculiar circumstances.

"Have you ever known me to try to allay the irritable feelings of other officers in the regiment, and persuade them from acts which would be regarded as insubordinate ?—Yes, I know two remarkable instances, one of which was when the lie had been given by Lord Cardigan, the commanding officer, to another officer—

"Here the witness was stopped, and the court consulted together, when the President observed that the court had already decided that they could not enter upon any extraneous matter, and they should not travel out of the immediate charge before them."

On the following day, Major Morse Cooper was further examined as to the character of the prisoner ; and his further examination was as follows :—

"Major Morse Cooper was called in, when the President said, that previous to the entering into evidence as to character, the court had decided, that in producing such evidence Captain Reynolds must confine himself to general character ; but any particular fact the evidence may have themselves witnessed, that may redound to the credit of the accused, they may state. Everything of this sort might be stated, but the court would not permit any statement to be made, that directly or indirectly could implicate the character of other individuals ; and further, the witnesses would not be allowed to enter into the particulars of quarrels or disputes, or give the names of others ; but, in all that they state, strictly to confine themselves within the rules of evidence : that is to say, they are not to state anything from hearsay, or that they heard from others' report ; but only that which they knew from their personal knowledge.

"Major Morse Cooper was then examined by Captain Reynolds : How long have you known Captain Reynolds ?—About nine or ten years.

"What has been my conduct and character, as an officer and a gentleman, for the time you have known me?—As an officer, zealous, active, and intelligent in the discharge of every duty, as I had an opportunity of personally knowing, when under my command on board a ship for a period of about three months; as a gentleman, a man of the highest honour, strictest integrity, and in every sense of the word a gentleman.

"What has been my conduct as to subordination and respect to my superior officers?—In every respect, as far as my knowledge goes, perfectly subordinate, and zealously desirous to obey every order.

"Do you consider, from what you know of my character and conduct, that I could be guilty of insubordination?—Not without some extraordinary provocation.

"Are there any circumstances within your knowledge as proof of my subordination?—Yes, if allaying irritating feelings is comprehended in that question. Might I ask a question? the case I referred to yesterday, could I go into, without the name?

"President: Certainly; not the name.

"Witness: I can mention one that I was present at myself. At a discussion with Lord Cardigan—

"The Judge-Advocate: You are not to mention names.

"Witness: After a discussion with the commanding-officer, who used most offensive expressions to me, I made an appeal to Captain Reynolds—

"The President: It is impossible to enter into this. This may have happened some years ago; and it is that in which we have no province at all. We cannot inquire into it. We do not wish to hear of personal disputes."

From this evidence, it is clear, that, in a certain instance, Lord Cardigan, the commanding-officer, had given the lie to Major Morse Cooper; and that then Captain Reynolds had endeavoured to allay the excited feelings of the Major, and prevent insubordination.

Major Browne was examined on the part of Captain Reynolds. His examination was as follows:—

"Major Browne, examined by Captain Reynolds: Are you a major on half pay unattached? Have you served in the Light Dragoons; and if you have, how many years?—I served in the Light Dragoons between twenty-five and twenty-six years.

"Were you present at the battle of Waterloo?—I was.

"How long have you known me?—Since the year 1827, when Captain Reynolds joined the 11th Dragoons in India.

"What is your opinion of me as an officer and a gentleman?—As an officer, I consider Captain Reynolds zealous, active, and most efficient: as a gentleman, I consider his conduct on every occasion has been in the highest degree honourable.

"Have you ever known me guilty of the slightest insubordination

towards my superior commanding-officer?—No. Captain Reynolds' conduct has invariably been most respectful and subordinate, and from an intimate knowledge of his character, I consider him utterly incapable of forgetting the respect due to a commanding-officer, unless under provocation which no man of honourable feelings could endure."

Major Rotton, the senior major of the 11th Hussars, was examined as follows:—

" Major Rotton examined by Captain Reynolds: Are you senior major of the 11th Hussars, and how long have you served in the regiment?—I am the senior major; and I have served upwards of nine-and-twenty years in it.

" How many years have you known me?—About fourteen.

" What is your opinion of me as an officer and a gentleman?—In my opinion, I consider Captain Reynolds one of the smartest officers in her Majesty's service; perfectly acquainted with all his duties, and his conduct as a gentleman has ever been in the highest degree honourable. I consider him in every respect decidedly a gentleman.

" Am I oftentimes under your immediate command; and, if so, what has been my conduct?—You have, temporarily and frequently, during the absence of the Earl commanding-officer. Your conduct has been in every respect quite to my satisfaction.

" Have you ever known me guilty of the slightest act of insubordination towards my superior or commanding-officer. Never."

Captain Forrest of the 11th Hussars was examined on the part of Captain Reynolds. His examination was as follows:—

" Captain Forrest examined by Captain Reynolds: Are you Captain in the 11th Hussars, and how many years have you been in the regiment?—I am a Captain in the 11th Hussars, and have served in the regiment from the 12th April 1833.

" How many years have you known me?—I have known Captain Reynolds since 1834.

" What is your opinion of me as an officer and a gentleman?—Captain Reynolds is an active, zealous, and attentive officer. I do not believe there is a more strictly honourable and gentlemanlike officer in the British army.

" Have you known me guilty of the slightest act of insubordination towards my commanding-officer?—On the contrary, I have always known Captain Reynolds to be most respectful to his superiors, and when I was told that what I had said was false by the commanding-officer——

" The President: It is not a question before the court. We are not to enter into the particulars of any former quarrel or dispute. You are not to enter into any quarrel that has been settled in the regiment.

" The court was here ordered to be closed. The doors remained closed for about half-an-hour. On the return of the public to the court,

" The President, addressing the witness, said: 'That the court apprehended that he did not perfectly understand the latter part of the

decision they had come to, which was this: that the court will not permit any statement, either directly or indirectly implicating the character of other individuals; and further, that a witness should not enter into the names or particulars of quarrels or disputes, or state anything that was not within the rules of evidence. In explanation of that decision, he said that the court had further decided that a witness might state, in general terms, anything that had occurred, when he could show that the accused had been the instrument in allaying irritation, or preventing acts of insubordination. For example, a party might state circumstances that were within his own knowledge, when, by the judicious interference of others, there was the prevention of an act of insubordination, without entering into the transaction, by stating the names or the exact particulars of the same.

"Examination continued: Have you ever known me disrespectful to my commanding or superior officer?—Never; I have always known you respectful to your superiors; and I know that on several occasions when different officers had their feelings highly excited, Captain Reynolds has been the means of allaying their angry feeling, and preserving harmony in the regiment."

Several other witnesses were examined, and Captain Reynolds handed in several letters as to character. We need not enter into the particulars; character could not stand higher than that which was given to Captain Reynolds.

The evidence of Major Morse Cooper, and of Captain Forrest, is so remarkable in itself, that we need hardly call particular observation to it. Our readers will notice the interruption that was given by the court to each of these witnesses—the formula that was prescribed to them—the limitations and restrictions that were imposed upon them; and that Lord Cardigan did not propose any question to either of these witnesses with reference to the facts they had alluded to.

The court, it will be observed, persevered in refusing to admit any evidence tending to shew the provocations Lord Cardigan had given to Captain Reynolds before the 27th August 1840. In a word, they refused to hear the prisoner's case. It must be obvious to any one, that the provocation under which Captain Reynolds acted, was not fully disclosed to the court-martial. The disparaging conversation held by Lord Cardigan at his own house, was no more than the final circumstance in a course of injurious or offensive conduct—it was but the spark which set fire to a train already laid. But no previous circumstance would the court listen to. It is a familiar and well-understood saying, that "'Tis the last feather that breaks the camel's back." The court-martial interpret this literally, and, when the poor camel breaks down, they

would ascribe his death to the last feather, and not to the hundred-weight of feathers that he already bore upon his back. They will receive evidence of one provocation, if there were any, on the 27th August 1840; but if the provocation, be a hundred times greater, because repeated a hundred times previously, that, they say, is nothing to the purpose.

They refused to hear evidence of all or any preceding circumstances. How would this doctrine suit Lord Cardigan's own case? It may have happened to his Lordship, as it has to other persons, to have been a defendant in a civil court, and to have had damages recovered against him. If it were so, we doubt not that his counsel would then have entered, as he would have full right to do, into all the particular circumstances of the case—embracing, perhaps, a period of years—in order to diminish the damages. His Lordship is now a defendant in a criminal court;—would he be content to go before his Peers, on the simple statement that he was seen deliberately and in cold-blood, to level his loaded pistol at one of her Majesty's subjects—to fire, and to wound the person he aimed at? Would he not burn with indignation at being thus treated? Giving his own version of the case, he would naturally say: "I have been deeply wronged and provoked—I have been calumniated in the public-prints—I have found my accuser—I have asked for redress—I have been denied it; and though I justify not, now, in my cooler moments, the putting in peril the life of any man, yet I have full right to lay before you every circumstance of provocation, because every such circumstance extenuates my offence; and if you decline to admit such evidence, then, though you may call yourselves judges, you cease to exercise the functions, and the duties, of a court of justice."

In treating of the measure of human punishments, Mr. Justice Blackstone says: "In general, the difference of persons, place, time, provocation, or other circumstances, may enhance or mitigate the offence. The violence of passion or temptation may sometimes alleviate a crime. The age, education, and character of the offender, the repetition, or otherwise of the offence, the time, the place, the company, wherein it was committed;—all these, and a thousand other incidents, may aggravate or extenuate the crime."\* Not only is this so—but more than this; circumstances do themselves constitute crime, and distinguish one crime from another, and vary the degree of crime. Homicide, for instance, is, under certain circumstances, justifiable; under others, excusable; under

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\* 4 Black. Comm. 13. 15, 16.

others, felonious ; and that which under certain circumstances is murder, becomes, by a modification of the circumstances, manslaughter.

The principles laid down by Blackstone, with reference to the measure of human punishments, are clear and undenialble. They are intelligible to the meanest capacity ; they could be explained to, and perfectly comprehended by, minds so young as not to have attained the state of manhood. They do but enunciate propositions which are expressed with all the terseness and simplicity of truth in the statute-book,—“*Liber homo non amercietur pro parvo delicto, nisi secundum modum ipsius delicti, et pro magno delicto secundum magnitudinem delicti.*” Even in the crime of murder there are degrees, which render it more heinous under some circumstances than under others. The motive is especially to be considered. Murder may be committed under the influence of covetousness, or of deadly envy and malice, or of base lust ; and the degree of guilt varies accordingly ; and where the crime is accompanied by domestic duty violated, and confidence betrayed, then the degree of guilt is highly aggravated.

It seems obvious from the proceedings we have quoted, and the frequent clearance of the court, that the members of the court-martial were not agreed in opinion ; we do sincerely trust that they were not unanimous.

The sentence of the court-martial was promulgated in the following general order :—

“Horse-Guards, Oct. 20, 1840.

“ At a General Court-martial held at Brighton Barracks, on the 25th of September 1840, and continued by adjournments to the 5th of the following month, Captain Richard Anthony Reynolds, of the 11th (Prince Albert's own) Hussars, was arraigned upon the under-mentioned charge, viz.—

[Here follows the charge as before.]

“ Upon which charge the court came to the following decision :—

“ The court, having duly weighed, and most maturely considered, the whole of the evidence adduced on the part of the prosecution, together with that advanced by the accused in support of his defence, is of opinion, that he, Captain Richard Anthony Reynolds, of the 11th (Prince Albert's own) Hussars, is guilty of the charge exhibited against him, which being in breach of the ‘Articles of War,’ the court does, in virtue thereof, sentence him, the said Captain Richard Anthony Reynolds, of the 11th (Prince Albert's own) Hussars, to be cashiered.

“ The court having performed its duty, cannot separate without recording its opinion on the following points of evidence :—

“ In the course of the evidence to character, witnesses have stated,

they considered the accused was incapable of insubordination, without some extraordinary causes of provocation, or unless under provocation which no man of honourable feelings could endure ; thus apparently sanctioning the idea, that there might be circumstances of private irritation, which would justify a soldier breaking from the established order of military discipline ;—a doctrine so totally subversive of the fundamental principles by which all armies are governed, that the court feels called upon to stamp it with *marked reprobation*.

“ Her Majesty has been pleased to approve and confirm the finding and sentence of the court.

“ The General commanding-in-chief directs that the foregoing charge preferred against Captain Richard Anthony Reynolds, of the 11th (Prince Albert's own) Hussars, together with the finding and sentence of the court, and her Majesty's confirmation thereof, be entered in the General Order Book, and read at the head of every regiment in her Majesty's service.

“ By command of the Right Honourable

“ General LORD HILL, Commanding in Chief.

“ JOHN MACDONALD, Adjutant-General.”

We have already given our reasons at length, for thinking that the charge as exhibited, wholly failed. But if the charge had been proved as laid, the judgment of the court is open to the following objections :—

1stly. There is no article of war which gave them cognizance of the offence committed by Captain Reynolds. He had not disobeyed “any lawful command of his superior officer”—and if had he not, it is clear he had infringed no other of the articles of war.

2dly. Their sentence is not just, because they refused to hear evidence of previous provocation, which Captain Reynolds tendered, and which any court of law would have been bound to receive, and would have received. Even of Rhadamanthus, who is not a pattern for judges, it is said, that “ he punisheth and heareth.”

“ —Rhadamanthus habet durissima regna.  
Castigatque auditque.”

The Court-martial punisheth, but heareth not. This course is not without its advantages ; it saves time and simplifies the case.

“ Fortius et melius secat res.”

The court-martial did not understand the mission which was entrusted to them. The functions and duties of a court-martial are peculiar. The members of a court-martial are not merely jurors, nor merely judges—they act both as jury and as judges. They find the facts—they declare the law—they award the sentence. Grant, that in trying the

mere question of fact, as a jury would before returning their verdict, circumstances of provocation would be inadmissible in evidence, the court-martial have not, when they have reached this point, discharged their office. It is when they have performed their duty as jurors, that their more arduous duty as judges commences. Then it is that they are called upon to weigh the crime and the circumstances as in a balance; and to hear, and ponder well, the provocation and every incident which may extenuate the crime, and mitigate the punishment. They must first settle the degree of crime, before they can award the due and proportionate measure of punishment. As judges, they are bound to remember, that even in extreme ills there are degrees; and that an offence consists not merely of the fact done, but also of the intent with which it is done. In the present case, the court had little else to do than to act in their judicial capacity. The facts were clear and undisputed. The first letter, the order given in consequence, and the second letter, were all admitted. If, in awarding the punishment, they were determined to look only to these facts, then the time consumed by the proceedings of this court-martial was altogether mis-spent, and their assembly was little better than a solemn farce. Evidence in mitigation of punishment was almost the only evidence they were called upon to hear. They reject all such evidence. They close their eyes that they may not see, and stop their ears that they may not hear. We are accustomed to represent Justice as holding the scales in one hand, and the sword in the other, and the figure is full of meaning. If she throw away the balance, and yet retain the sword, she ceases to be "the eldest born of Jove,"—and what does she become but a mere executioner; and not only so, but an executioner acting without the usual warrant of law? We are accustomed to represent Justice as blind,—meaning, that she respects no man's person—but she has never been represented as deaf. We could refer the members of the court-martial to a tribunal, whose example it would have been no disparagement to them to follow;—Her Majesty's Court of Queen's Bench. Prisoners who have been found guilty, are sometimes called up to that court for judgment, and if any of the members of the Court-martial should walk in on any day to the Court of Queen's Bench, it would be nothing strange that they should find there a prisoner awaiting his sentence. If they should cast their eyes upwards to the judgment-seat, they would there behold four venerable and learned judges, patiently listening to evidence in mitigation of pun-

ishment, and to an eloquent address of counsel enforcing the grounds of such evidence. Nor would they find that judgment was pronounced, until these able and learned judges had conferred together, and had fully considered every circumstance which could be suggested in extenuation of the crime.

3rdly. In the restrictions and conditions to which they subjected the prisoner's witnesses to character, as to the terms and manner in which they should give their evidence, the court-martial acted with a rigour which might have been dispensed with. Major Morse Cooper and Captain Forrest were witnesses to character ; and in a court of law they would have a right, first, to state their opinion of the prisoner's general character, with reference to the charge imputed; and 2ndly, they would be permitted, if not of right, yet from favour to the prisoner, to state their personal experience of that character in any particular instance. It is stated, in the best work on evidence that ever was written, that this frequently occurs at law.\* In the present case, the prisoner being tried for an act of insubordination, according to all rule his witnesses must be admitted to state their opinion of his general character for subordination ; and they ought to have been permitted, if not of right, yet of favour to the prisoner, to state their personal experience of his habits of subordination, in particular instances within their own knowledge. The evidence is thus made double in value of what it otherwise would be ; and it is because the commanding-officer was a party concerned in those instances, that the evidence becomes of particular value. It not only bears a reference to, but it bears directly upon, the charge of insubordination. Moreover, the intention of Captain Reynolds, in the act charged against him, was important to be considered ; and where the intention is an ingredient in the case, a wider scope is allowed, in courts of law, in the examination of witnesses to character, than in other cases. Captain Reynolds could hardly intend, wilfully and deliberately, an act of insubordination on his own part, when we see he had prevented insubordination in others under circumstances of great provocation. Whatever favour or indulgence might have been allowed in a court of law, not less ought to have been granted by the court-martial.

4thly. As the case stood, upon the evidence which they did receive, the sentence was harsh, severe, and disproportioned to the offence. Nor have they the excuse of saying, that they had no discretion as to the punishment; for the article of war

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\* I. Phillipps on Evidence, 166; sixth edition.

which relates to disobedience of orders leaves the punishment "such as a general court-martial shall award." And even had they been bound by the articles to a particular sentence, they might nevertheless have stated the circumstances of extenuation, and have recommended the prisoner to the mercy of a gracious sovereign. They did not do so, and therefore we may assume that they saw no circumstance which, according to their judgment would extenuate the offence, or mitigate the punishment; and yet there never was a case in which mercy could have been more fitly extended to the prisoner.

5thly. The court-martial went out of their way, and having done so, they should at least have gone in a right direction. It had come out in evidence before them, that Lord Cardigan used language to his officers such as no gentleman has any sort of right to use to another. He had given the lie direct to Major Morse Cooper; he had done the same to Captain Forrest. The court might justly have reprobated the use of such language, as unbecoming an officer and a gentleman, and highly subversive of good order and military discipline. They did not do so. We are not even sure that they took down on their minutes the words they heard from the witnesses on this point. We are rather led to suppose they did *not*. They might have reprobated the course which had been pursued in the cross-examination of Lieutenant Cunningham. They did not do so. They reserved the outpouring of their virtuous indignation for Major Morse Cooper and Major Browne, two of the witnesses to character for the prisoner. And that they might do this with the greater effect, they first put words into the mouths of those witnesses, which they never uttered or thought of, and then attack, "with marked reprobation," the doctrines which they impute to those officers! We have purposely given at length the evidence of those officers, and we ask, where have they brought forward "the idea that there might be circumstances of private irritation which would *justify* a soldier breaking from the established order of military discipline?" They were not asked, nor did they give, any merely speculative opinions. They were not asked, nor did they say, one word as to the circumstances which would, or would not, justify an offence. Their opinion would not have been evidence. They were merely asked as to the character of Captain Reynolds for subordination; and they answer, with simplicity and truth, "We consider him utterly incapable of forgetting the respect due to a commanding-officer unless under peculiar circumstances of provocation, such as no man of honourable

feeling could endure." The attack made upon the witnesses is altogether unfounded: it is most ungenerous and improper, and calculated, if such a practice should ever find imitators, to frustrate the course of justice. It is a new feature in the proceedings of a military court, and like many other novelties, is worthy of "the most marked reprobation."

6thly. They have taken upon them a mission which was not entrusted to them, and for which they were in no respect qualified—the enunciation of abstract propositions. It is always dangerous and inexpedient, and more especially for unlearned persons, to propound abstract theories. The members of the court-martial form no exception to the rule. They would have done much better to try the case before them, and to hear, as they were bound to do, the evidence upon it. It is the proud characteristic of the British army, that its officers are gentlemen, by education, manners, and habits, and we trust they may ever remain so. As long as British officers are gentlemen, we are sure that they will have right feelings, that they will be men of honour and principle and spirit, that they will act as becomes such, and that they will proudly assert their dignity when any man shall presume to oppress, or shall endeavour to degrade them. To say nothing of abstract propositions, we agree that military discipline must be maintained; but it must be maintained impartially, and as much by restraining the abuse of authority as by enforcing due subordination. And we reckon the proneness to error or excess to be much greater in the case of him who wields power, than of him who is dependent. But nothing of this kind suggested itself to the minds of the court-martial.

Let us suppose, for a moment, that the abstract propositions of the court-martial are well-founded. The general commanding-in-chief has affirmed them, by the sanction of his name. What a fearful responsibility do they throw upon him! If it be true that men of honourable feelings must endure all or any provocation, and that under no imaginable circumstances must they be allowed to break from the established order of military discipline; if this be indeed the fundamental principle by which the army is to be governed, and for any violation whereof an officer must surely be cashiered, what sort of men is it the duty of Lord Hill to select for the command of a regiment? What anxious thought, what conscientious care are required from him before he appoint an officer to such a situation as Lord Cardigan now fills! Is he justified in requiring the very perfection of military discipline from the subordinates, while at the same

time he sends among them a chief, whose temper and conduct appear to be but too surely calculated to provoke insubordination? Does he think that that man is qualified to have the command of others, who has no command of himself? And can he seriously believe, that in the short term of six years, Lord Cardigan had fitted himself, from being a cornet, to be a lieutenant-colonel in the army, and as such entitled to the command of a regiment?

Lord Cardigan was born in the year 1797; he entered the army in the year 1824, and he obtained his lieutenant-colonelcy in the year 1830; that is to say, after six years service and at the age of thirty-three. He was appointed to the command of the 15th Hussars. In the year 1833, he brought Captain Wathen, one of his officers, before a court-martial, on six circumstantial charges, which he thought fit to exhibit against that officer. Of all, and of every one, of these charges the court-martial honourably acquitted Captain Wathen. Having done so, they annexed to their finding the following observations:—

“ Bearing in mind the whole process and tendency of this trial, the court cannot refrain from animadverting on the peculiar and extraordinary measures which have been resorted to by the prosecutor. Whatever may have been his motives for instituting charges of so serious a nature against Captain Wathen (and they cannot ascribe them *solely to a wish to uphold the honour and interests of the army*), his conduct has been reprehensible in advancing such various and weighty assertions, to be submitted before a public tribunal, without some sure grounds of establishing the facts. It appears in the recorded minutes of these proceedings, that a junior officer was listened to, and non-commissioned officers and soldiers examined, with the view of finding out from them how, in particular instances, the officers had executed their respective duties; a practice in every respect most dangerous to the discipline and the subordination of the corps, and highly detrimental to that harmony and good feeling which ought to exist among officers. Another practice has been introduced into the 15th Hussars, which calls imperatively for the notice and animadversion of the court—the system of having the conversations of officers taken down in the orderly-room without their knowledge—a practice which cannot be considered otherwise than revolting to every proper and honourable feeling of a gentleman, and as being certain to create disunion, and to be most injurious to his Majesty’s service.”

The finding of the court-martial was confirmed by the general commanding-in-chief, and Lord Cardigan was, in the year 1834, removed from the 15th Hussars and placed on half-pay.

There could not be a more severe censure conveyed on any officer, than there was upon Lord Cardigan by the finding of that court-martial. It is no little blame that he should have brought forward, against one of his officers, six very circumstantial charges, and should not have been able to establish any one of them, or any part of any one of them. It does not rest here; his motives might perhaps plead some excuse? No, the court take from him this poor excuse; they "cannot" ascribe to him the only motive by which he should have been led. The inference is obvious. They found, moreover, that he had adopted in his regiment one practice most dangerous to discipline and subordination, and subversive of harmony and good feeling; and another practice, revolting to every proper and honourable feeling of a gentleman, certain to create disunion and to injure his Majesty's service.

One might naturally conclude, that an officer whose conduct in the command of one regiment is thus stigmatized by competent judges, is not the most fit person to be appointed to the command of another regiment. Nevertheless, in the year 1836, we find Lord Cardigan appointed Lieutenant-colonel of the eleventh Light Dragoons. Lord Hill undertook a grave responsibility. He impliedly contracted for the good conduct of Lord Cardigan; and nothing but the strict performance of the contract could absolve him from his responsibility. What has been the result? Has Lord Cardigan imported "harmony and good feeling" into the eleventh Light Dragoons, or has he subverted them? Has he been the means of maintaining "the discipline and the subordination of the corps," or has he endangered them? Has he quashed "disunion," or has he created it? Has his conduct been, or not been, "injurious to her Majesty's service"? Has he, or not, on all occasions, acted under the influence of "every proper and honourable feeling of a gentleman"?

Let these questions be answered by Lord Hill himself. He has proclaimed in his own memorandum, read by the adjutant-general to the officers of the eleventh Hussars, since the court-martial, "that the regiment is *not* in that state in which a regiment ought to be, in order to afford ground for confidence that it would, at home or abroad, render efficient service; that there are lamentable disputes and differences among the officers; that they exhibit disrespect and insubordination to their commanding officer; that many of them are in a state of hostility with their commanding officer; that he, Lord Hill, has received various complaints from the officers

of the regiment, of the conduct of their commanding officer."\* Lord Hill must know also, better than any other individual can, what was the state of the eleventh regiment of Light Dragoons before Lord Cardigan was appointed to it; and what has been the state of the fifteenth Hussars since Lord Cardigan was removed from them? He must know whether or not it is true that, without including Captain R. A. Reynolds, sixteen officers have left the eleventh Light Dragoons since Lord Cardigan was appointed to command them? and if he does not know, he can well imagine, that no captain or subaltern of the eleventh Hussars could now find an officer of another regiment to exchange with him.

But Lord Hill is not our only witness. Let the questions we have proposed be further answered by Major Morse Cooper; by Captain Richard A. Reynolds; by Captain Forrest; by Captain John Williams Reynolds; by Lieutenant Forrest; by Dr. Sandham; by Mr. Harvey Tuckett; by Mr. Hussey. Has Lord Cardigan given to these, and to his officers at large, that "example of moderation, temper, and discretion," which, Lord Hill says, is expected from him? Has he viewed their errors, as Lord Hill says he ought, "with indulgent moderation?" As Lord Cardigan introduced new practices into the fifteenth Hussars, has he or not introduced a new practice into the eleventh Hussars—that of giving the lie to his officers? We refer to the evidence of Major Morse Cooper and of Captain Forrest. Does the general commanding-in-chief consider, or not, this practice to be "revolting to every proper and honourable feeling of a gentleman"?

Major Morse Cooper has stated frankly, in print, the reason for his leaving the eleventh Hussars. He felt himself called upon so to do, from seeing a letter signed "Miles," published in a London journal, in which letter an erroneous reason was assigned. He wrote a letter to the editor, as follows: viz.

"TO THE EDITOR OF THE MORNING POST.

"Sir,—The reason assigned by your correspondent 'Miles' for my having quitted the 11th Light Dragoons is an erroneous one. Perhaps he, as an admirer of Lord Cardigan, would prefer the language introduced into the service by his lordship, and that I should say—it is false. But to my antiquated habits such language is ungentlemanly, and therefore I decline its use.

"For the information of 'Miles,' I will state the true reason and

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\* We do not insert this document at length. It is every way below criticism; and the only thing we can gather from it is a determination to support Lord Cardigan.

circumstances of my leaving a regiment wherein I had passed 'the morning of my life—all my best years,' twenty-one in number. I left it on account of the overbearing conduct, and unendurable insolence of its commanding-officer, which rendered the tenure of my commission insecure; and from experience I hold the opinion, that no captain or subaltern, of ordinary spirit or gentlemanly feeling, is safe under the command of Lieutenant-Colonel the Earl of Cardigan.

"Although I was *bond fide* the first captain for purchase of the regimental majority, I endeavoured to find a captain of cavalry to exchange with me, but in vain; they were too wise; and upon the strength of twenty-five years' service upon full pay, I applied for and obtained, from Lord Hill's consideration, permission to purchase an unattached majority."

This letter was published in the *Times* of the 16th Nov. 1840.

One might have supposed that it was open to Major Morse Cooper to state, without being subjected to censure or reprobation, the reasons which induced him to leave the regiment in which he had served for twenty-one years. A man leaves his house, because he hears the timbers crack, and the walls sink or sever; and he reasonably judges that these warnings are sufficient, and that he will not be safe if he remain: we conceive that a man under such circumstances may justly assign these as his reasons for quitting that house, and that he may do so either voluntarily, or in answer to an inquiry. But such is not the opinion of Lord Hill. Lord Cardigan must be protected at all hazards, and at any price. Lord Hill will not censure him himself, nor will he allow any other man to censure him. Lord Hill called upon Major Morse Cooper to admit or deny his having written the obnoxious letter bearing his name in the *Times*, and Major Morse Cooper having acknowledged the fact, the Adjutant-general wrote to him the following letter:—

"Horse Guards, Nov. 26, 1840.

"Sir,—I have received and submitted to the General commanding-in-chief your letter of the present date, wherein you acknowledge yourself to be the writer of the letter which appeared in the *Times* newspaper of the 16th instant, and to which my letter of yesterday's date related.

"In reference to that acknowledgment, I have it in command to direct your serious attention to the accompanying General Order of the 5th of April, 1819, issued by command of his late Royal Highness the Duke of York, for the information and guidance of the officers of the army.

"I am further commanded to remind you, that by writing the letter in question, you have directly violated the principle so clearly and

forcibly laid down in that General Order, and have thereby exposed yourself to the displeasure of your sovereign.

"Lord Hill has not overlooked the circumstance that your letter was written with the *avowed* object of denying the correctness of a statement which had been made respecting you in a letter published under the signature of 'Miles,' in a newspaper. His lordship would have it fully understood, that so far as his authority is concerned, he concedes to you the right, in its most extended and liberal sense, of defending yourself against any statement in a public journal which you might think injurious to your public or private character; but Lord Hill cannot too strongly condemn the manner in which, on the present occasion, you have exercised that right. The highly-offensive and insulting terms in which you *have assailed* your late commanding officer, *for the manifest purpose of provoking him to a hostile collision with you*, would, in any case, have been wholly unjustifiable; but when Lord Hill advertis to the circumstance of your having left Prince Albert's Hussars without, to his recollection, having ever made objection to, or preferred complaint against, any part of Lord Cardigan's behaviour towards you, while you were serving under his orders in that regiment, and to the further circumstance of a period having elapsed since you quitted the regiment more than sufficient to have allayed any feeling of irritation which may have been excited in your breast during your regimental connexion with Lord Cardigan, the General commanding-in-chief is constrained to say, that he *can find no pretext or excuse for your conduct*.

"Lord Hill further considers that your offence is aggravated by the rank which you hold in her Majesty's service, and which ought to have induced you cautiously to abstain from setting so injurious an example to other officers.

"You must be aware that the consequence of so gross *an act of military insubordination* would, in all probability, have been the forfeiture of your commission, by the award of a general court-martial, had you been amenable to the provisions of the Mutiny Act; and you will observe, that, in the case which occasioned the general order before referred to, an offence of a similar character, committed by officers on half-pay, was visited by removal from the service.

"It is in the full confidence, that you will, on reflection, be deeply sensible of the great impropriety of your conduct, that Lord Hill abstains, in the present instance, from proposing the adoption of an extreme course towards you; but his lordship feels that his duty to the army, its discipline, and its general interest, imperatively requires that he should mark your conduct with the most severe censure; and I am to remind you, that any repetition of it would afford the most convincing evidence of your unfitness, in the exercise of military authority, to uphold the discipline and maintain the subordination which are essential to the character and efficiency of the army.

"I have, &c.,                   JOHN MACDONALD, Adjutant-General."

"Major L. Morse Cooper, half-pay unattached."

The accompanying General Order of 1819, referred to, is as follows :—

“Horse Guards, April 5, 1819.

“It has been represented to his Royal Highness the Prince Regent, that Lieutenant Thomas Hasker and Ensign Edward Ring, who have recently been placed upon the half-pay, from the 55th regiment, have grossly insulted and challenged Lieutenant-Colonel Frederick, commanding that regiment, upon the grounds of his conduct towards them in his capacity of commanding-officer while they were on full-pay under his orders.

“As it would be highly injurious to the discipline of the service to permit the notion to pass with impunity, that when an officer is placed upon half-pay he shall feel at liberty to set aside all the restraints of decorum and subordination, by indulging feelings of personal resentment towards his former commanding-officer, his Royal Highness the Prince Regent, in the name and on behalf of his Majesty, has been pleased to command that his displeasure upon this flagrant act of misconduct shall be marked by erasing the names of Lieutenant Thomas Hasker, and Ensign Edward Ring, from the list of the army.

“The Prince Regent, in the name and on behalf of his Majesty, has also been pleased to command, that as Lieutenant Richard William Lambrecht, on the half-pay of the 3d garrison battalion, who was the bearer of the challenge from Ensign Ring to Lieutenant-Colonel Frederick, appears to have been equally culpable, his name shall, in like manner, be erased from the list of the army.

“The Commander-in-Chief has received the Prince Regent's commands to promulgate to the army the above declaration of his Royal Highness's pleasure on the subject of Lieutenant Thomas Hasker and Ensign Edward Ring, and of Lieutenant Richard William Lambrecht, in order that officers on half-pay may be sensible, that whenever they so far forget their duty as to give vent to feelings of personal animosity and resentment against their former commanding-officer on the grounds of his conduct towards them in his official capacity during the time they were serving under his command, they will not fail to draw upon themselves the royal displeasure to the same extent as is hereby expressed against the individuals to whom this order especially applies.

“The Commander-in-Chief has it further in command to express his Royal Highness the Prince Regent's approbation of the line of conduct adopted on this occasion by Lieutenant-Colonel Frederick, and to declare, that any officer who shall prove so unmindful of what is due to his station, and so regardless of military discipline, as to accept a challenge given on grounds similar to those on which those officers presumed to challenge their former commander, will incur his Royal Highness the Prince Regent's highest displeasure.

“By command of his Royal Highness the Commander-in-Chief,  
“HARRY CALVERT, Adjutant-General.”

The perversity of mind, or entire obscuration of reason, exhibited in this letter to Major Morse Cooper, exceed all belief. We look at it again and again, and still wonder whether it really and truly emanated from the Horse Guards, or “whether an enemy hath done this?” What are the facts? Major Morse Cooper left the 11th Hussars on or before the 10th January 1840. He did so for good reasons—but these he keeps to himself (at least from the public), until he is called upon and obliged in self-defence, to state them on the 16th November 1840, in answer to a letter in a newspaper. Lord Hill, with that same intuitive quickness which Lord Cardigan had exhibited in the case of Captain R. A. Reynolds, saw at once a purpose in this answer of Major Morse Cooper, totally different from what it professed, and from what the writer intended. Lord Hill admits that “the *avowed* object was to deny the correctness of the statement made by Miles;” but then, he says, the real purpose, and that not secret or disguised, “the **MANIFEST** purpose was to provoke his late commanding-officer to a hostile collision with him”—conduct for which Lord Hill could find no pretext or excuse;—and so grossly insubordinate, that Major Morse Cooper must think himself too happy in not being dismissed the service! His offence is “military insubordination to his late commanding-officer,”—in saying that the conduct of that commanding-officer was overbearing and insolent. It is not allowed to any officer to say this of Lord Cardigan; he must content himself with thinking it, and feeling it. There is an injunction issued from the Horse Guards against any such freedom of speech, and the penalty is, being cashiered if on full-pay, and being dismissed if on half-pay. Truly, this is somewhat “overbearing and insolent,” in a land of freedom! We hardly know whether to reprobate such pretensions with seriousness, or to laugh them to scorn for their egregious folly. Lord Hill saw that he could not directly censure Major Morse Cooper for merely defending himself; and therefore he converts him into an assailant, and assigns to him an object which “manifestly” he had *not*. If Major Morse Cooper was so excited in his feelings as to desire to fight a duel with Lord Cardigan, that excitement must have existed before the year 1840; and reasoning men might suppose that he would have sought his opportunity before the end of nearly a twelvemonth, and would judge, that if he did *not* do so, his excitement had, according to the natural course of events, subsided. They would further conclude that his writing a letter to the *Times*, furnished no

“manifest” proof of his still entertaining such a desire, seeing that such letter was an answer to the letter of another man, and would have never been written at all, but for the publication of the letter of “Miles.” There is great tenderness exhibited by the Horse Guards, lest Lord Cardigan should be provoked, but none at all in favour of those whom Lord Cardigan does or may provoke. Lord Hill is a professor of military law; and having imputed to Major Morse Cooper the “manifest” intention of provoking Lord Cardigan to send him a challenge, he, Lord Hill, opens his books, and there finds a case in point, which he quotes against the offender. He says, “By writing the letter in question, you have DIRECTLY violated the principle so clearly laid down in that case.” What is the principle of that case? Two young officers just removed to half-pay, and thinking that they were then free to gratify their resentment, grossly insult and challenge their late commanding-officer, on the grounds of his conduct to them as commanding-officer. They acted most improperly, and were therefore dismissed. The principle established seems to be, that no officer shall be allowed thus to misconduct himself with impunity. What is the application of that case, either in circumstance, or in principle? Major Morse Cooper was not removed to half-pay, except by his promotion from a troop to an unattached majority. He did not grossly insult his late commanding-officer, though that officer had grossly insulted him. He did not challenge his commanding-officer; and the letter which he wrote was written nearly a twelvemonth after his promotion, and that not voluntarily, but to correct a misstatement of which he was the subject. Parity or similitude between the two cases there is none; and yet Lord Hill pronounces judicially, that the principle established has been violated, and *that* not indirectly but directly. The justice of the Horse Guards is one-sided. It has one attribute of Justice—it is blind. It restrains Major Morse Cooper, but it does not restrain Lord Cardigan—nor does it restrain “Miles.” It would be no very monstrous supposition, that a letter professing to state the reasons of Major Morse Cooper’s leaving the 11th Hussars, may possibly have been written by some one who is, or has been, connected with that regiment. However that may be, and whoever be the author, Lord Cardigan, or any other person, is at full liberty to write and publish alleged reasons for Major Morse Cooper leaving the 11th Hussars—and Major Morse Cooper alone is to be restrained from correcting these statements, and from assigning the true reasons. Admirable justice!

The Adjutant-General's letter was an intelligible warning to the fifteen other officers who had left the regiment—or to such of them as still remain in the service—that they should not do as Major Morse Cooper had done. Unfortunately for Lord Hill, Mr. Hussey, one of those officers, is no longer subject to military jurisdiction ; and the letter of "Miles" having referred to him, equally as to Major Morse Cooper, and with equal incorrectness, Mr. Hussey wrote the following letter, which was published in the *Times* of the 7th December 1840 :—

"TO THE EDITOR OF THE MORNING POST.

"Sir,—Having been for the last month in a very remote part of Ireland, I have only just been able to procure a copy of your paper of the 6th ult., in which appears a letter signed 'Miles.' Could I believe it possible that any person of gentle blood, or entitled to be treated as a gentleman, would put forward an anonymous statement, knowing it to be untrue, or without taking the trouble to ascertain its truth or falsehood, I should take steps to find out the individual, and punish his insolence.

"As the matter now stands, your anonymous correspondent, in assigning untrue reasons for my having left the service, has placed himself in one or other of the above unenviable positions : I am therefore obliged to content myself by simply stating that my reason for having left the service to which I was greatly attached, was, that I found it as impossible to serve, with proper respect for my own feelings, under Lord Cardigan, as it was to effect an exchange from a regiment which has the undeserved misfortune to be commanded by his lordship. I have the honour to be, sir, your most obedient servant,

"JOHN HUSSEY,

"Late Lieutenant 11th Light Dragoons."

"Army and Navy Club, St. James's Square, Dec. 3, 1840."

The publication of this letter was "an untoward event" for the Horse Guards—it exactly confirms the letter of Major Morse Cooper, and all that Lord Hill can do is to regret that Mr. Hussey is beyond the reach of his censure. Of course the purpose of this letter also is "manifest"—to provoke Lord Cardigan to a hostile collision ; but, nevertheless, it seems "manifest" that the purpose has not been attained, either in the case of Major Morse Cooper, or in that of Mr. Hussey ; and hence we may conclude, that the extreme readiness of Lord Hill to interfere in a matter in which he had not the slightest concern, was unnecessary and misplaced,

Lord Hill's calculations have been altogether fallacious. The cashiering of Captain R. A. Reynolds, one of the best officers in the service, presented him a happy opportunity (as

he seems to have thought) for introducing harmony and cordiality into the regiment. He declared to the officers, by the adjutant-general, his confident trust, that he should hear of no more such complaints as they had made previously—that everything would be buried in oblivion ; and he expected, that on his part, Lord Cardigan would present a pattern of moderation, temper, and discretion. The officers were to seem satisfied at the merciless punishment of their friend and companion, and were to compose their frowning faces into benignant smiles towards their chief. All things were to become new, and Lord Cardigan was to be perfection. These golden dreams were only of October last, and they are quickly followed, in about two months, by the two published letters of Major Morse Cooper and Mr. Hussey, the complaint of Dr. Sandham, and the application of Captain John Williams Reynolds for leave to retire from the regiment by sale of his commission. At an earlier period of the year, events had succeeded each other even more rapidly. There was first, the complaint of Mr. Brent of Canterbury—then that of Captain John Williams Reynolds—the duel with Mr. Harvey Tuckett—the court-martial on Captain Richard A. Reynolds, and the great affair of the key, in which Lord Cardigan was plaintiff, and Lieutenant Forrest defendant, and which was heard and decided by Lord Hill in the last resort. The confident expectation which Lord Hill professed to entertain in October 1840—Heaven knows on what grounds !—was, in a few short weeks, disappointed, and he was reduced to express his regret to Lord Cardigan, that his previous recommendation, through the adjutant-general, had proved ineffective. Lord Hill has been in error throughout ; he was in error in appointing Lord Cardigan to the 11th Light Dragoons, and every step he has taken since has been but a repetition and multiplication of error. He has, now at least, discovered his error—but only to persist in it ; and rather than that Captain John W. Reynolds should sell his commission, and thus give additional strength to the public opinion concerning Lord Cardigan, he grants to that officer (if the public are not misinformed) a sort of *carte blanche* to do what he will, provided only he shall not retire from the regiment. Let no one be deceived : nothing is granted for the sake of justice ; nothing is conceded for the sake of an excellent young officer, who had been much wronged both by Lord Cardigan and by the Horse Guards ; but anything and everything is given in order to save Lord Cardigan. The public

are shrewd observers of passing events, and seeing the excessive favour that is shown to Lord Cardigan, they look for a cause; and, as “his wealth and his earldom” are not to be deemed the cause, they ask what is it?—whence did it originate, and how has it thus continued?

In all the transactions connected with this regiment, we are forced to blame, much and deeply, Lord Hill, the General commanding-in-chief. All the faults of the court-martial are his, for he has adopted and confirmed them. But further—Lord Hill must answer the original fault of sinning against experience, in appointing Lord Cardigan at all to the command of the 11th Hussars. He must answer the further fault of keeping Lord Cardigan in that command under circumstances which, if they have not led Lord Hill, have at all events led the public at large, to conclude, that it is not for the good of her Majesty’s service. He must answer the fault of “hoping against hope,” in the confident trust he has expressed, and in which he has already been disappointed, that after the court-martial there would be harmony and concord in the 11th Hussars, and that there would be no further complaint from any officer against the lieutenant-colonel.

Lord Hill has executed justice (as he is pleased to call it) upon Captain R. A. Reynolds. The thing called justice is not really so, unless it be equal—impartial—without respect of persons—and founded upon immutable principles. Principles will never bend nor vary, though circumstances may. We will compare the offences and the punishments of Lord Cardigan and Captain R. A. Reynolds respectively, and see how far the comparison is satisfactory.

Lord Cardigan was found to have introduced into the 15th Hussars practices “revolting to every proper and honourable feeling of a gentleman.” He was not charged simply with want of temper and discretion, or with error in judgment—the imputation was of an entirely different kind, and more grave. His punishment was removal to half-pay. We do not complain of the lightness of the punishment, for it was an act of mercy; and mercy is a sacred prerogative, which we would willingly leave unfettered. . . .

Captain Reynolds’ offence consisted in writing an offensive and disrespectful letter, under feelings of excitement. Which of the two offences was the greater? Was his conduct revolting to the “proper and honourable feelings of a gentleman”? His punishment was the being cashiered. His offence was less than Lord Cardigan’s—his punishment infinitely more. Is

this to be called justice—and is the army, and are the public, to be satisfied with it? We know that they are not, and will not be, for we know that Englishmen, above all things, love justice. The voice of mercy was heard in the one case—it was silent in the other. A young and gracious queen would have been but too happy to be reminded of that mercy, of which it is said—

“It is twice bless'd.  
It blesseth him that gives, and him that takes ;  
‘Tis mightiest in the mightiest ; it becomes  
The throned monarch better than his crown.”

Yes, an act of grace to a gallant and high-spirited soldier, who would exultingly pour out his heart's best blood in her service, would have more adorned our fair young queen in the eyes of her people, than does the brightest gem that sparkles on her brow. All that's bright must fade—her beauty and her glory shall depart—be the time far distant! but her deeds of mercy and beneficence will be remembered when all else is forgotten; for they will be written with an everlasting pen, in that book by which princes and subjects shall alike be judged.

Further, we will compare the offences and the punishments of Major-General Sleigh and Captain R. A. Reynolds respectively, and see whether the comparison is more satisfactory. Major-General Sleigh, having a command in the East Indies, in the Bombay presidency, took upon him to put under arrest a distinguished officer, and of high rank, Brigadier-General Sir Thomas Willshire, K.C.B., being next in command to himself, for issuing an order which he was instructed to issue personally by the commander-in-chief. He informed Major-General Sleigh of the authority by which he had issued the order, and referred him, if he desired corroboration, to the commander-in-chief himself, who was on the spot. Major-General Sleigh made no reference to, or enquiry of, the commander-in-chief, but placed Sir Thomas Willshire in arrest, and assigned the command of his brigade to a junior officer. All the circumstances were reported to Lord Hill, and there is in print a copy of the letter of Lord Fitzroy Somerset, his military secretary, to General Sir Henry Fane, dated the 18th September, 1837, containing the judgment of Lord Hill upon the case. The offence of Major-General Sleigh was insubordination to the commander-in-chief, and that of a more flagrant and outrageous kind than any we can remember. To borrow some of the words of Lord Cardigan's charge, “such conduct was highly unbecoming a general officer, prejudicial to the in-

terests of the service, and utterly subversive of good order and military discipline." To borrow the words of the court-martial in their sentence on Captain Reynolds, such conduct was "totally subversive of the fundamental principles by which all armies are governed, and ought to be stamped with marked reprobation." General Sleigh had not the excuse of youth, inexperience, or excitement, or indeed any other excuse whatever, and thus it appeared to Lord Hill. In the letter of the military secretary to Sir Henry Fane, there is the following remarkable passage: "There does not appear to Lord Hill to be the smallest circumstance, in any part of this case, which can be favourably considered as extenuating the conduct of Major-General Sleigh." These are the premises; now for the conclusion: "To remove the Major-General from his command in India, and thus to injure his present character and future prospects, however justifiable such a measure would be, might be said to be not altogether free from that severity with which he has acted towards another upon this occasion, and for which his conduct is now under the just censure of the General commanding-in-chief; and therefore, all circumstances considered, and giving full weight to the honourable testimonials, &c.," Lord Hill desires Major-General Sleigh to be removed from his command in Bombay, to such other station as Sir Henry Fane should think fit. His punishment, if so to be named, was simply to be removed from his actual command to another command of the same kind, and on the same footing. Again we say, we do not complain of an act of mercy; but is mercy in the army reserved only for the eldest sons of peers, and for general officers? For an unheard-of act of insubordination—an act utterly unjustifiable, and declared to be without the smallest extenuating circumstance, Major-General Sleigh goes virtually unpunished; and when, in due time, he comes home, he is rewarded with the office of inspecting-general of cavalry, which office he now fills, and with the colonelcy of the 9th Lancers. And in virtue of this office of inspecting-general, and presenting in his own person a pattern of subordination, he was sent, in June last, to convene the officers of the 11th Hussars, and read them a communication from the Horse Guards, as to the case of Captain John W. Reynolds; to which he added the flippant and presumptuous declaration from himself to Captain John W. Reynolds, that he had by his conduct deprived himself of the sympathy of every officer of rank in the service.

For a much more venial act of insubordination than that

of Major-General Sleigh, Captain Richard A. Reynolds is cashiered. Unfortunately for the captain, his case admitted of extenuating circumstances, which the general's did not. His present character, also, was excellent, and his testimonials weighty and honourable, whence it plainly follows that he must be cashiered, and his future prospects blasted. The general had the singular good fortune that his conduct was not only without justification, but without the smallest circumstance of palliation—whence the conclusion is evident that he must go unpunished for the present; and as to future prospects, the event has shown that they were not injured, but improved. Had his case admitted of any possibility of argument or mitigation, Heaven knows whether that severity with which he had acted towards another might not have been visited upon himself.

Let us add, that the authority which preserved Lord Cardigan to the army, in the year 1834, and restored him to command in the year 1836, the authority which left General Sleigh unpunished in 1837, and has since conferred upon him a double reward, and the authority which has cashiered Captain Richard A. Reynolds in the year 1840, are one and the same; Lord Hill has throughout been the general commanding-in-chief. With this observation we shall conclude, adding only, that the injury which has been done personally to Captain Richard A. Reynolds may be repaired; but that the outrages which have been committed upon public feeling in all these transactions demand a high satisfaction, which the people—the just, and thinking, and reasoning people—will require, and which the Crown, if well advised, will not refuse.

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#### ART. V.—*The Quarterly Review* for December, 1840.

THE last number of the *Quarterly Review* contains an article entitled "Romanism in Ireland," which has been generally attributed to a learned professor of the University of Oxford, and which may, perhaps, be taken as the manifesto of the party to which the *Review* and the University belong. Although it is not usual for one *Review* to enter into a discussion with another, yet, as the article in question is announced as the first of a series upon the same subject, and as it is possible that these compositions may correctly indicate the future conduct of one party in the state—as we are, besides, of op-

nion, that to give any entertainment or countenance to the speculations and opinions which are advanced in the article, would be highly injurious to the empire at large, and would be most eminently detrimental to the deplorable country which is the subject of discussion—as, in the last place, the principal statements of fact which are therein made or insinuated, are altogether, or to a very great extent, unfounded, in as far as they are pertinent in any considerable degree to the matter in hand, or indeed to any other matter whatever—we think it right, for all these reasons, to submit the article in question to a minute and deliberate examination.

In proceeding to enter upon the performance of this duty, we find it to be altogether impossible to distribute our observations into any order of arrangement which can have the effect of presenting to the reader a distinct and harmonious view of the whole subject-matter in controversy. We profess not, however, upon the present occasion, to do anything more than to refute in detail some of the numberless errors of reasoning, and to subvert, by authentic and unquestionable evidence, a portion of the multitudinous misstatements of matters of fact which constitute almost the whole mass of the article in question. For the purpose of accomplishing this object, we must, of course, pursue the steps of the writer through all his tortuous entanglements of matter, style, and opinion; and we cannot, therefore, help shrinking at the contemplation of the confusion and perplexity of the scene upon which we are entering. The gentleman to whom the article has been universally attributed, is said in several quarters to be a person of great literary accomplishments. In reference to this point, one of two things must, we think, be unquestionably true: either that his admirers labour under the most extraordinary delusion, or, if he really possess the accomplishments for which he obtains credit, that the composition which we have now under consideration must belong to that species, described by Quintilian:—"Cujus virtutes ex industria quoque occultantur." The style of the article belongs, in fact, to the department of what is called "easy writing," concerning which Mr. Pope has very justly observed,

" Your easy writing, though, is damned hard reading."

Indeed nothing can be more evident than that the writer, if we may judge of his capacity from the article under consider-

ration, is not enlightened by the smallest glimmering of an acquaintance with the commonest canons of composition; that he is not even *levissime imbutus* in the principles which regulate oratorical, or even grammatical arrangement; and that he understands the structure of a sentence no better than that of a flying buttress. It is said that the gentleman to whom this article is attributed, professes to imitate the style of Mr. Burke. If this be true, the attempt at imitation is about as successful as that of some persons in ancient Rome, who thought that they imitated the character of Cato by looking grim and going barefooted.\* The exhibition of a few extracts from the article will enable the reader to judge for himself whether the opinion which we have expressed about its literary merits be well-founded or not. The following passages may be taken as specimens of what the writer can achieve in the department of the *style coupé* :—

“ Democracy in Ireland! Alas! what *are* men thinking of? They may as well talk of democracy in Morocco. But add another fact.”—p. 156.

“ Once more. Ireland, it has been often *said!* has been confiscated three times over. We are no friends *to* confiscation, least of all *of* confiscations in Ireland. But this is not *to* the purpose.”—p. 164.

“ But the priests, it is acknowledged by witnesses, do give their assistance in repressing disorder. Undoubtedly.”—p. 157.

“ But the priests denounce ribbonism. Undoubtedly. The old priests did: and for so doing were ill treated by the bishops. This has been proved. But so did Doctor Doyle. Undoubtedly.”—p. 156.

There *may*, for aught which we know to the contrary, be something very “ sublime and beautiful” about this manner of writing; but we must, for our own parts, acknowledge that we cannot perceive any *very* strong resemblance between it and the oratory “ whose triumphant march was accompanied by the spoils of the universe.” Of the perspicuous intermixture of literal with figurative language, the following is a specimen:—“ How is it,” says he, (p. 121), “ that Ireland is far more a *blot* upon Europe?” [far more than what?] “ with almost every *spot* upon its *shores* *branded* with the *memory* of crime.” How is it, says the learned writer, that every *spot* on the *shores* of the *blot* is *branded* with a *memory*! The following sentence forms the commencement of a paragraph in page 134, and, besides the elegance of its construction, presents what will, perhaps, be considered as a novel application of the figure

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\* “ Vultu torvo serus et pede nudo.”—Hor.

called a prosopopœia:—"If any proof were wanted, how easily" [wanted, we suppose, to show how easily] "the *nineteenth century* would fall a prey before it, it is our ignorance of the nature of the adversary." It used to be supposed that *tempus* was *edax rerum*, and that centuries ultimately made a prey of everything else, even of the toughest adversary—according to that celebrated epitaph on the blind fiddler—

"Time and Stephen are now even :  
Stephen beat time, and time beat Stephen."

It seems, however, that popery can furnish forth a feast, even out of centuries themselves, and that it finds no more difficulty in devouring some hundreds of years than the celebrated Mr. Dando ever did in eating a few hundreds of oysters.

Here comes an elegant combination of homogenieties. The sentence may be taken as an illustration of unity, perspicuity, and harmony:—"We hear of universal fraternization, of liberty, equality, and peace throughout the world—Popery calls itself Christian, and Christians are a people of brothers, without distinction of place, climate, or birth. We say again to the *nineteenth century, beware of Popery.*"—(p. 135.) Considering that the nineteenth century is to be devoured by Popery, we cannot say that this warning is at all superfluous. We are afraid, however, that it comes too late, as almost half the century has been devoured by something or other already.

Talking of certain oaths, he says, (page 165) "examine them with a microscope! as all such compositions must be examined, and their ingenuity will surprise." The *ingenuity* of the *oaths* will appear very surprising if you only examine them with the instrument through which you contemplate the operations of the industrious fleas, or the contents of a drop of dirty water at Mr. Carpenter's theatre.

Talking of Mr. Wyse's *History of the Catholic Association*, he says, "let a man study it carefully"—this being, perhaps, an imitation of the style of the old song, "Could a man be secure that his life would endure," &c. In page 156, he exclaims, "what are men thinking of?"—and in page 133, he solemnly asks, "do men know the meaning of the word **Catholic?**"—which important interrogatory he answers by telling us (*ibid.*) that it actually means "universal." "What will men think," say we, of the originality, perspicuity, elegance, variety, modal exactitude, and sound sense, of the following optative exclamation in page 124: "*would* to God the time *would* come when men *would* learn that the govern-

ment of states is indeed a mystery *far more than the arts of old.*" *Would* to God, say we, that the time *would* come when the persons who have the *government* of quarterly reviews *would* learn that the said reviews *would* be much less mysterious and more useful than the "arts of old," if the contributors, in return for their twenty guineas a sheet, *would* write English, tell truth, and have a little common-sense.

A favourite process with him is to intimate his own opinions in the form of interrogatories; and this, according to the best judgment which we can form about the matter, is the nearest approximation which this professor of moral philosophy can make even in appearance to the Socratic method of philosophising. He enquires (p. 151) "who is Dr. England who has been *recently* transmitted to America? and what did he carry with him?" Touching the baggage or *impedimentum* of the right reverend doctor in question, we can say nothing more than that we believe it to have been as modest as that of his brethren in general. In answer to the first part of the interrogatory, we can say that Dr. England is a Roman Catholic clergyman, formerly of the diocese and city of Cork; that he is a man of great abilities and great virtues, and that in consequence of his talents, his eloquence, and his piety, he was "*transmilted*" to America in the capacity of Bishop of Charleston, so *very recently as twenty-one years ago*. As his relations continue to reside in Cork, he has revisited his native country we believe twice during the period of his episcopacy; and has upon each occasion, when he returned to his pastoral charge in America, "carried away with him" the unlimited admiration of all persons that ever had the happiness of his acquaintance. What else he "carried away with him" we are unable to say, as we had no opportunity of overhauling his luggage.

He asks (p. 152) what is the number of the Jesuits' houses in Ireland, of their schools, and their pupils? If he can only restrain his curiosity for a few days, he will probably receive a full and authentic answer to the question; as the proper officers in Ireland are now preparing returns upon those particulars, in obedience to an order of the House of Commons. The first of these returns, which we have seen, was copied into a London paper of this morning (26th Jan. 1841), from the *Limerick Chronicle*, a tory journal, and it stated that there were no Jesuits at all in that county; and we believe that the same sort of return will be made from thirty out of the thirty-two counties of Ireland. We believe that it will turn out that they have a small preparatory school at one place, and a

school upon a larger scale, and for more advanced pupils, in another place, and a residence attached to a house of worship in a third place ; and that these are all the houses which they possess. In page 152 he gravely asks, “ Are any persons either avowedly or secretly Jesuits, entrusted with high offices in the Irish government ? The same question should extend to the Franciscans, Dominicans, Carmelites, and other bodies of the same kind.” Whether Lord Ebrington be a Jesuit, or Lord Morpeth a Franciscan, or Mr. Norman M‘Donald a Dominican, or Lord Plunkett a bare-footed Carmelite ; whether the Catholic Attorney-General and Protestant Solicitor be or be not members of “ other bodies of the same kind,” we are unable to say ; but we hope that our sapient querist will not be suffered to “ burst in ignorance ” upon a subject in which he feels so deep an interest. It seems, however, that the “ true answers to all such questions ” as the querist has put, are very well known to himself, for he positively affirms that they are “ rather alarming ;” but what those answers really are, this deponent for the present saith not. If, however, there be an enquiry, and the writer be “ convened ” before the committee, we shall probably hear some very important information.

In page 124 the writer asks, “ What would be said of a man, who on seeing a naked, starving, infuriated maniac, should proceed to relieve him, by putting shoes on his feet, a coat on his back, *food into his mouth, and maxims of love into his head.* ” Here we have the act of putting maxims of love into a maniac’s head spoken of as if it were exactly the same sort of operation as that of putting morsels of food into his mouth. The maxims and the morsels being introduced, as it would seem, by the same passage ; and the introduction of both being equally easy of accomplishment.

In the same page we have the following practical question : “ What would be said of a man, who seeing an officer of justice struggling with a man for whom he had a warrant, should ” do so and so ; and in the paragraph next following we are informed, that in this elegant parable the Roman Catholic Church is the man against whom the warrant has been issued, and that the Church of England, in Ireland, is the *bound-bailiff*: “ a term,” says Blackstone, “ which the common people have corrupted into a much more homely appellation.”

Some of the questions appear to be of a very singular character, if we consider them as proceeding from a clergyman :

"Let the peace and harmony of a family," says he, (page 125) "be disturbed by an adulterous connexion on the part of one of the parents,"—not the lady, we hope—"how is it" (the peace and harmony) "to be restored?" Our own experience does not enable us to answer this graceful and sensible question; but our readers will find, upon turning to the *Quarterly Review* (p. 125), that the writer who puts the question has answered it himself. We shall have occasion to refer to some of these passages again, for the purpose of shewing that they are infected with vices of a much more serious character than mere barbarism in the expression, perplexity in the construction, obscurity of meaning, or no meaning at all.

The degree of ignorance, affectation, and absurdity which he exhibits in the use and application of single words, is, if possible, equal to the amount of those qualities which he shews in many other respects—using terms in a sense diametrically opposite to that in which they are taken by the rest of the world; and more especially by the parties who are chiefly interested in the subject matter of the discussion. The following is a sample of his ridiculous affectation in this respect. In page 168, having occasion to mention the Catholic Association, he writes the name of it in the following manner:—"The Catholic [i. e. Romanist] Association." The "i. e. Romanist" in the brackets, being intended to caution the intelligent reader against supposing that the *Catholic Association* was an Association of *Protestants*; whilst in page 124, he tells us of the "conflicts between Popery and the old Catholic Church";—to discern the difference between which two bodies, will certainly very much "puzzle the natives" of Ireland. Elsewhere we have the following reasonable and gentlemanly passage:—"We use the word popery—not any of the smooth-sounding apologetic titles by which the parties of whom we are speaking, are so desirous to be addressed."—(p. 137.) Now, we humbly submit that every party is naturally desirous to be addressed by the proper name by which that party has always been designated; and that there is no very great violation of analogy or propriety, in giving the designation of Roman Catholics to those who profess the Catholic Faith in the communion of the Church of Rome. Such a name is however to be considered *smooth-sounding* and *apologetic*; and therefore this uncompromising Christian hero will not use it in speaking of persons who have never called themselves by any other denomination; whilst the writer himself actually declares (page 189, line 18), that "*Catholic Christianity* forms a

very large part of the faith of the *Roman* Church; which *Catholic* Christianity, says he, the *Roman* Church asserts boldly, and maintains firmly in places where *dissent* has shattered them in *fragments* and caused them to be *lost*."

In page 119, he says,—“The first *paradox* in the condition of Ireland is formed of two facts—namely, that there rarely if ever was a country so blessed by nature!—rarely if ever one so cursed by man!” Now, this very original statement is certainly true, but as certainly it neither exhibits nor involves any *paradox*. What is there “contrary to rational expectation,” in the fact that a country blessed by nature should be cursed by man? There are many other countries besides Ireland which have been so cursed. Indeed there are very few which have *not* been cursed by man, whether they have been blessed by nature or not. Sin, crime, oppression, misery, degradation, destitution, despotical cruelty, and popular fury, are all very deplorable matters, but not at all *paradoxical*. From the beginning this has been so, because every country in the world has always had within it a body of cruel, cunning, and selfish men, who endeavour to secure for themselves the greatest portion of the advantages which result from the exertions of all the remainder of the population.

The following specimen of his humour will shew that his jocularity “is not a thing to be laughed at.” In page 158, he says,—“We by no *means mean* to imply that the priests are the authors of Ribondism; but there are other relations in life besides those of *father* and *son*, and where there is an evident similarity of objects, identity of principle, and mutual influence and interest, will the reader be quite wrong in suspecting *some familytie*.” This very subtle subsummation, reminds us of the late worthy Hibernian Professor Higgins, who, in the course of a lecture delivered by him at the Dublin Society, informed his auditory that the celebrated Mr. Boyle was the father of Chemistry and the uncle of Lord Cork; from which it would appear that the Earl of Cork was a cousin-german to the science of Chemistry.

As exhibiting a striking specimen of the practical character of the writer’s lucubrations upon government and policy, we may present the following passage from page 119:

England, says he, is at present labouring under a “judicial blindness” inflicted from above; and a “strong delusion of such a nature, which a careful observer will scarcely think to be accidental, is at this moment hanging over this country.”

Strong delusions have, it seems, taken the place of strong drinks. But the *Quarterly Review* will enact the part of Father Mathew to the intellect, and introduce a tee-totalism of the understanding. If, however, the blindness and delusion, as the writer states, be the result of the omnipotent volition of Heaven, and the consequence of men neglecting religious truth, we fear that it can scarcely be expected that the blindness and delusion will be dissipated even by the brilliant wisdom of the *Quarterly Review*. But this fanatical folly has not even the miserable merit of uniformity; for the person who writes in this strain in one part of the article, writes in the following manner in another part, (p. 148) concerning the Catholic priests who were educated abroad, and who are now very nearly extinct: "They lived on friendly and courteous terms with the clergy" of the Establishment; "for if neither party were *very zealous in their spiritual functions*, both were gentlemen," which important fact of course atoned altogether for the want of zeal in the discharge of their spiritual functions. The contradictions with which the article abounds are indeed truly ridiculous; thus, in page 123, he tells us that "there opens an impassable gulph between England and Ireland;" in the same place, he tells us that, "the two countries can't flourish apart;" whilst in another place (p. 118), he informs us that, "even the good and sober-minded in England itself, contemplate the repeal of the union as an alternative not utterly to be rejected." In page 123, we are told that "*emigration is hindered* because you cannot encourage it wisely and as a Christian, *without ensuring the blessings of religion* [i. e. the Protestant religion] to those who are removed from their own country." "Thus far," says he, (*ibid.*) "the statement is secure against contradiction from any party." It happens however not to be secure against contradiction from the very party who makes it, and who tells us (p. 156, line 29), that "*emigration is prevented by the priests*, in order to fix the peasantry to the soil."

Of the skill which the writer exhibits in the operations of definition and division, the following may be taken as a sample. In page 141, he distinguishes all the ecclesiastics of Ireland into priests and clergy, the priests being, as we must suppose, not clerical, and the clergy not sacerdotal. In pp. 123-6, he distributes all the calamities of Ireland under three heads, of each of which he gives a separate account, and he states that each of the three heads is resolvable into a question of religion. The first

of these three heads is "Religious Dissension" (p. 123), whilst the second is said to be "the Conflict between Popery and the Religion of the Reformation." So that, after having carefully perused three pompous pages of the *Quarterly Review*, we are enabled, through the medium of this refined and original analysis, to arrive at the very profitable and important conclusion, firstly, that a matter of "religious dissension" is resolvable into a question of religion, and secondly, that a conflict between the religion of Popery and the religion of Protestantism is resolvable into a question of religion. *Quod erat demonstrandum.* As an evidence of the consistent accuracy with which he estimates different matters, even according to the standard which he has set up for himself, it may be mentioned, that in an article consisting of no less than fifty-four pages, and which professes to have for its principal object to produce an enquiry into the extent of the influence possessed by the Roman Catholic clergy in Ireland, the writer having told us in the *fortieth page* of his article,\* "that the Inquisition is in Ireland at this moment," adds immediately afterwards, that "his limits" did not *admit of the production of the evidence* in support of this very awful statement. Now, as the proof of the statement would prove his whole case and a great deal more, no limits, not even the *limites flammantes* of the world itself, ought to restrain him from producing the evidence, if any he had to produce, by which this extraordinary allegation was to be established. The grand object of the whole article, and, as it would seem, of those others which are to follow, is to show that the Pope governs Ireland through the medium of the Inquisition, which is at this moment, according to this very wise person, in the actual exercise of the administration in that part of the United Kingdom—the working of the machinery having been transferred from the Dominicans to the Jesuits, and the graduated concatenation of the clerico-inquisitorial influences being to the tenor and effect following, that is to say, the Jesuits rule the Pope, the Pope rules the bishops, the bishops rule the priests, and the priests rule the people (p. 125.) The absolute existence of the empire, and the stability of the Church and of the Christian faith in this country, depend, according to the writer, upon having an enquiry immediately instituted into this subject (p. 138) by the House of Lords. He tells us (p. 145), that even a year hence the enquiry may be too late; and is so excessively af-

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\* P. 156 of the "Review."

fected with "windy suspirations," upon the subject, that in a single page (135) he twice cries out, "Beware of Popery!" Yet he informs us, at the same time, that "his limits do not admit of the production of the evidence" in support of his allegations—although we have something about everything except this "one thing" which is the most "necessary" of all; something about Peter Lombard and Urban the Second, and the theological works of O'Mahony, O'Conga, and O'Broden, about the great rebellion and the less, about the letters of Columbanus, and even about the Vespæ of Aristophanes. It seems, however, that, for the present, we must take his word for the very serious and startling fact that St. Dominic is actually domiciled in the dominions of St. Patrick. Indeed, we must frequently "take the ghost's word" for some of the most important matters which he states; as a great number of the documents to which he refers are quoted in such a way as to render any specific examination of them in reference to the point in question altogether impossible; and, in this respect, he reminds us perpetually of the following lines, which we heard a young lady warble very melodiously a few evenings ago--

"I leave not the print of a footstep behind me,  
So those that would find me, must look for me well."

The following are a few instances of this *inscrutable* method of allegation. In page 164, he says, "We are referring to the words of Baron Smith." In support of a statement, (p. 162) he says, "we are *almost* repeating the account of them delivered from the bench by Baron Smith;" leaving us to conjecture as well as we can, what were the words, where the account was delivered and when; and in what degree that which professes to be *almost* a repetition differs from the truth. Talking of another matter, he says (p. 154) "All this has been proved by the late trials and before the Lords' Committee." Of another statement, he says, (p. 156) "All this has been proved as distinctly as anything of the kind can be proved, by the evidence before the House of Lords,"—there being actually *four* reports of the House of Lords enumerated at the head of the article itself. Another statement which he himself declares to be astonishing, and which anybody else would probably pronounce to be incredible, he finds "upon an *assurance* which he received *the other day* from *an authority* which he *could not doubt*." (p. 150.) What the "indubitable authority" was which had the "assurance" to make the statement we are left to imagine as we best may. In p. 165 he states

what we believe to be totally untrue, upon what seems to be the alleged authority of a private communication from a convert. In support of a very atrocious statement in page 165, he says in a parenthesis, "(we quote from documents.)" In the next line he makes another statement equally atrocious, for which he claims credit upon the ground that "again he is using documents;"—but in what way he uses the documents he saith not, nor does he give the smallest intimation of their natures, or their names, or their authors. Another most absurd libel rests, as we are told, upon the authority of "one of many documents before us, upon which we are authorized to place the strongest reliance." (p. 159.) It is scarcely necessary to add that the document is anonymous. We have, however, the satisfaction of hearing that the author of it, whoever he was, received *his* information from — of —, who was a Ribondman! Another allegation, perhaps equally true, is ushered in as follows (p. 157): "Some years back, *says another document*, a man came to lodge information before me," &c. In support of a statement in page 154, and of another in page 155, we are referred to "Report on Tithes." For the joint effect of the testimony of Dr. Doyle, Dr. Murray, and Mr. Blake, we are directed, page 131, to consult their "Evidence before the Lords' Committee," but when or where? In support of a statement in page 154, we are referred to the "Report on Crime," in which the questions and answers, taken altogether, amount to 30,000! A bundle of particulars in the same page is placed upon the authority of "The late Trials and the Lords' Committee." One of the most important statements in the whole article is said to have "been sufficiently proved before the Lords' Committee," but neither in this case, nor in the preceding, is there any reference made to the question, or the page, or the volume, or the witness; nor are we even informed before *which* of the Lords' Committees the "sufficient proof" has been given. Some of the proof which is referred to, appears to furnish rather a droll foundation for the allegations which it professes to support. Thus, after having told us, (page 165) that the popish tenantry in Ireland are ready to claim the soil to themselves, the writer goes on to say, "the resumption of these confiscations" [*anglice, confiscated estates*] "enters as an essential feature into the ecclesiastical *movement* in Ireland. The maintenance of these old titles is *proved by*"—what?—"by the Bullarium of Benedict the XIV<sup>th</sup>!"—whilst in respect to some of the most important statements of fact contained in the article, no

evidence whatever is quoted in any form, or even said to be in existence.

This matter is of the greater importance, as many of the statements of fact which profess to rest upon *some* authority to which we are *not* referred, are certainly untrue, as we shall abundantly shew hereafter.

For instance, we are informed in page 154, that "Ribondism sends *cannon*! over from Liverpool to Ireland." "Oh the father!" as Dame Quickly says, "how the man keeps his countenance."\* It is, perhaps, unnecessary for us to say that the writer quotes no authority whatever in support of an absurdity so monstrous. We believe that the statement has reference to some evidence given by Captain Despard before the Roden Committee, as we never heard of such a piece of transcendental folly in any other quarter. A comparison of the evidence of the Captain with the positive assertion of the Quarterly Reviewer, will shew the regard which the writer, although a clergyman as is said, entertains for truth, honesty, and candour. In the Index to the Evidence, under the head of Arms, page 1591, a reference is made to five passages in Captain Despard's evidence. It will, however, upon the present occasion, be sufficient to adduce the answer given by Captain Despard to Questions 4721 and 4722. In answer to the former, he says, "Mr. —— has a piece of artillery for the purpose of amusement and firing occasionally. It was stated that the Ribondmen *intended* to make *some* machine for carrying this away! There were also two pieces of artillery mentioned to me as being rolled up in flannel and concealed somewhere in the ground!" Question 4722: "Does that strike you as a probable story?" Answer: "No; that was a part of the communication in whch I did not put faith." Here, then, the very witness who brings out the story upon the authority of an anonymous Ribondman, expressly declares that it was not entitled to belief; but the writer in the *Quarterly* not expecting, perhaps, that anybody would take the trouble of referring to the original evidence, produces the Ribondman's absurd lie as if it were not only a matter of fact, but almost a matter of course.

The ignorance of the writer—"most ignorant of what he's most assured"—is truly ridiculous. Having, in page 154, told us that the Ribondmen were all Papists, he goes on to mention as an extraordinary fact, that "they are bound to

attend mass *once a year*! We must infer from this statement, that he is ignorant that the sacrifice of the mass composes the public worship of the Roman Catholic faith; or of the other equally notorious fact, that every Roman Catholic is bound to attend mass upon *every Sunday and holiday* of obligation in the year; and that nothing short of the absolute impossibility of attendance can be received as an excuse for non-attendance upon public worship.

Speaking of the Roman Catholic priests who existed before the establishment of Maynooth, he says (p. 142), "They were located permanently in their parishes, and thus possessed a proper independence;" and in respect to this independence and location, he wishes it to be believed that the "old priests" were distinguished from the new. We do not very well know what the statement is intended to signify; but if it means anything like what the words appear to import, it is as applicable to the new priests as to the old; and every body, except the grossly ignorant person who is the author of the article, knows that the old priests were frequently changed from one parish to another. We recollect the late bishop of Limerick as having been parish-priest of three parishes, at the least, in succession: we know several of the new priests who have never been moved from the parishes to which they were originally appointed, and we believe that the bishop of the diocese cannot, at his own discretion merely, remove them after three years' possession; and it is quite notorious, that there is no difference in that respect between the clergymen of the present and those of the past generation. Talking of the same parties (*ibid.*), he says, that "the incomes of the old priests were smaller, and derived from a less distressed population than those of the present." Upon this subject it is quite notorious to every one except the sage in the *Quarterly*, that the dues of the old priests were often considered as oppressive as the demands of the parsons; that in the insurrectionary placards published by Whiteboys and other such associations, from 1787 to 1815, the rates were occasionally set forth according to which the conspirators permitted the priests to be paid; that the members of these combinations actually bound themselves by an oath, neither to pay, nor allow any one else to pay, more than the price appointed by the insurrectionary tariff; and that they frequently caused the "old priests" to suffer great pecuniary and personal privations, and sometimes inflicted upon them very severe personal punishment, upon the alleged ground of their extortions. The bishop of Limerick, to whom we have

already alluded (Dr. Tuohy), broke up such a combination against himself by his good-humour and musical talents. Being at a wedding, where the whole company universally refused to contribute more than a mere trifle (perhaps not more than five shillings upon the whole, that being the sum appointed for such service by the tariff of 1787\*), he borrowed the pipes from the professional minstrel in attendance, and having delighted the company by his excellent performance, he said, "Although you won't pay the priest perhaps you'll pay the piper." Every body knows the extraordinary effects produced upon the Irish population by kindness and good-humour, and nobody will be, therefore, surprised to hear that the ecclesiastical musician was most amply compensated for his "voluntary;" and we ourselves, who knew this most amiable person from our infancy, can testify that the most extreme affection existed between him and the population of that parish, long after he had been removed to another, and indeed up to the hour of his death.

In page 143 we find it written as follows: "It is well known that immediately after the passing of that healing measure, the Relief Bill, the Romish clergy were ordered to withdraw from the society of Protestants." This passage is printed in italics, in order that it may attract more notice and receive more attention. Now any person at all acquainted with the state of society in Ireland, must be aware that what this gentleman calls a well-known truth is a most foolish falsehood. We ourselves, during a short visit to Ireland, "since the healing measure," have met one or two priests as often as three times in a week at the table of one Protestant gentleman. Everybody knows that Dr. Murray, the Roman Catholic Archbishop of Dublin, has been in the habit of dining at the table of the last five Lord-Lieutenants of Ireland; and, indeed, the ordinary newspapers contain frequent accounts of dinners at which the "Romish clergy" enjoy the society of some dozens of Protestants at a time.

The idiotical manner in which he outrages common-sense and self-evident truth will appear from the following passage (page 156, line 12 from the bottom): "observe how murder after murder is committed, *like minute guns!* to keep up the alarm, *without rousing the public indignation too far.*" From this disgusting falsehood, and ferocious nonsense, it would appear that a murder a minute = 60 murders an hour = 1440

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\* O'Leary's Defence, p. 147. Lewis, p. 28.

**murders a day = 10,080 murders a week = 252,000 murders a year,** only "keep up an alarm" in Ireland; and that "the indignation of the public is not aroused" by an amount of slaughter which, if directed against the members of the Established Church in Ireland, would absolutely destroy, in two years, the whole number of persons who belong to that particular negation of Catholicity. The reader can scarcely fail to admire the beautiful propriety of the simile, which compares *murder* to a *machine* for ascertaining the progression of time: as if it were not an act or an operation, but a sort of Irish "alarm" clock, the purpose of which is to make people "wake up" at certain short intervals.

In the same strain he says (p. 155), that "*it is now understood* that the temperance medal will be a security not only against the torment of another world, but, in the coming massacre, to distinguish Papists from Protestants." Here the "coming massacre" is spoken of in the same way as we speak of the next circuit, or the sittings after Easter; whilst the medal, which is universally given to all who receive it—to the Earl of Glengall as well as to Phelim O'Flanagan—is not only to *distinguish* the Protestants from the Catholics *in this life*, but to secure the salvation of both parties *in the next*, by *putting an end to all distinctions* between them.

There are some passages in the article, indeed, so shockingly fatuous, that we think they would support a commission of lunacy against the author. "This power," says he, "watches over what is called the purity of the priests' faith. A sermon indicating anything like heresy, that is Protestantism, on his part, will make him as obnoxious to this secret tribunal, as a civil offence in any of his flock. Priests have been beaten as well as Protestants. This is therefore a spiritual power."—(p. 156.) We have three things to observe concerning this passage. Firstly, That we are informed as of a novel and remarkable fact, that where a Roman Catholic priest indicates in his sermons anything like Protestantism, he is, however odd such a matter may seem, considered not to be acting in a manner very agreeable to the Church of Rome. Secondly, That such conduct renders him as obnoxious as a civil offence in any of his flock. [Of which allegation we shall only say, that whoso understandeth it, has a very great advantage over ourselves.] It is in the third place to be observed, as a matter of some curiosity, that when a priest in Ireland has indicated an inclination to Protestantism, he is not, as uninstructed persons may think, summoned before the bishop of his diocese, much less

before the Propaganda or other authority in Rome, to answer concerning his heretical propensities, but is quietly handed over to the secular arms of the peasantry, in order that he may be what they call in Ireland "walloped" into orthodoxy, by a peasantry between whom and himself there exists "the widest difference," (p. 145); "but who commit murder at his institution"! (p. 159.)

The cool complacency with which such a person assumes all through the article to correct the erroneous judgments, to supply the defective knowledge, and illuminate the dark understandings of all the rest of mankind upon the subjects in question, is truly amusing. A sample of this absurd assumption can scarcely fail to entertain the reader.

In page 123, he says,—“Before we venture upon a cure for any social mischief, we ought to *look deep* into the principles of society itself. Where are the statesmen who have approached Ireland with such principles? and without them how can we hope for any permanent or *radical* relief. Now—” When he arrived at this “now,” we thought that we were going to have a “deep look” into the principles of society, and had fallen at last upon a statesman who understood something of his profession. How far this anticipation upon our part was well-founded, will appear from the remainder of the sentence, —“There is one evil on the *very surface* of Irish affairs.” This superficial evil, is, in page 123, said to be religious dissension, concerning which, a huge mass of self-contradictory mystification is heaped up in the same page, until we are told once more of some cause of evil, which is the source and parent-stem of all the rest.” Here we thought that we had a chance of being introduced to the “source of the causes,” *fontes adeundi remotos*; that we had yet a chance of seeing the root of “the parent-stem,” which blooms with such a superabundance of deadly fruit. The page, however, to our disappointment, concluded in the following words:—“*How this state of things was produced*, is a separate question. *Its existence* is all that we are concerned with at present.” We now began to think that we should never get a “deep view into the principles of society” at all; but upon turning over the leaf, our hopes were again revived upon reading the following passage at the very head of the next page (124): “But let us examine the fact a little *more deeply*. *Would* to God the time *would* come when men *would* learn that the government of states is indeed a *mystery*, *far more than the arts of old*, and that, without *deep* and *searching* thoughts *piercing*

down to *the very foundations of society*, he who attempts to save will only destroy them." Now it is, we believe, a fact, that under even the foundations of society is placed a "mystery," called the necessity that mankind should live; under which again are placed three other mysteries which support it like three columns, and which are called respectively the necessity of food, of clothing, and of lodging. We should therefore conclude, that one of the first truths to which a statesman of "deep and searching thoughts, piercing down to the very foundations of society," (page 124), would discover under the foundation, was, that food, clothes, and lodging, were the first of all things necessary to keep society together. Our philosopher has, however, drawn a different conclusion, as will appear from the following passage, which comes immediately after that which we have quoted above:—

" What," says he, " would be said of a man, who, on meeting a naked starving insurated maniac, should proceed to relieve him by putting shoes on his feet, a coat on his back, *food* into his *mouth*, and *maxims of lore* into his *head*, overlooking his one great calamity, disordered reason—forgetting that the *mind* and not the *body* is the *man*, and that where the *mind wants truth*, IN WHATEVER DEGREE,—whether in madness, or error! or IGNORANCE!! there to dress up the body, is only, as Bishop Taylor expresses it—' to wash the face of the dead.' We ask if religious truth be not the first and most essential of all truths, and whether a nation of which one large portion must be destitute of this truth, is not like the maniac labouring under a radical disease, which *must be cured, before ANY OTHER REMEDY* be applied to its ills?"

\* The moral to be enforced by this story of the maniac is, that it is quite preposterous to give clothes, food, or lodging, to the Irish people, until they have been saturated with religious truth; that is to say, with a belief in the doctrines of the Church of England in Ireland; that to "dress up the body of a papist is like "washing the face of the dead;" and that the Irish people, who are now very busily engaged in an attempt to improve their physical condition, are no better occupied than the old cat by the fireside in Burns' song—

" Auld Baudrons by the ingle sits,  
And wi' her loof her face is washin'."

Such is the brilliant philosopher and politician who has suddenly flashed upon the world, and who professing to dispel the existing darkness upon the state of Ireland—promises that he will enlighten us with the salutary splendour of his refu-

gence in the *Quarterly Review*, for Heaven knows how many future numbers of that publication.

Having asked, "first, what would be said of a man that met a maniac," the writer proceeds (p. 124) to ask "secondly, what would be said of a man who, seeing a sheriff's-officer struggling with a man for whom he had a warrant, should endeavour to sooth the feelings of both parties by texts from Scripture, and exhortations to mutual charity and amicable association, forgetting that it was the appointed duty of the officer to take the culprit into custody, and the vital interest of the culprit to make his escape?" In the same place we are informed, that, in this exquisite parable, the Established Church is the sheriff's-officer, and that the *man* for whom he has the warrant is *every man in Ireland* who does, or at any time hereafter shall, profess the Roman Catholic religion. The sympathies of the *Quarterly* are, of course, upon the side of the bound bailiff, and upon his principles the struggle is to be continued until the said bound bailiff has been completely victorious; that is to say, until there shall not be left among the whole Irish population a man that knows how to bless himself. The probable results of this contention may be conjectured from the following passages, which occur at pages 135 and 136. Speaking of "Popery," he says—

"Never was a system constructed, *so undying, so various, so universal, so capable of living in every form, under every change of circumstances, of perpetuating itself through every obstacle, of ruling over every heart,* and so asserting its own internal falsity by *the very extent of its reception* in a corrupted world; *and never, we firmly believe, was there a time more favourable to its growth, or more likely to witness its triumph, than the present age.* *The very spirit of such an age, especially in matters of religion, is papistical already!!!*

Taking this all for granted, we think that it will be acknowledged that our friend the bailiff is likely to have a tough job on hands to put his warrant into execution; and his business will not be rendered much lighter by the fact which the same writer mentions in page 150—namely, that "no people were ever more formed than the Irish for religion, for obedience, for respect to the ministers of God, for belief in mysteries; and therefore none more fit to be duped and ruled over by popery." To this we may add, upon the same high authority, that "Rome has always looked to Ireland as the great stronghold of her dominions; and that there is *an old prophecy*, that

whenever the Catholic faith is overcome in Ireland, the mother Church of Rome will fall."—(ibid.) If the mother Church is to remain upright as long as the daughter continues vigorous, there seems very little danger of caducity to the old gentle-woman at present ; and we believe that, for the reasons above given, as well as for some others of perhaps equal importance, the Pope will interfere to an inconvenient extent between the bailiff and "the man against whom he has the warrant." There does not, however, seem to be any ground for apprehending any actual breach of the peace ; for the bailiff himself, to say the truth, has not been in the habit of making any very vigorous exertions for the arrest of the culprit. His method, in fact, hitherto has been "to keep continually never minding," with most exemplary perseverance ; and he has contented himself, like the sheriffs, his superiors, with taking his fees to the fullest extent, without at all minding whether he took his prisoner or not. We are told, in page 129, that he "was quiet from the Reformation to the Revolution, on account of the convulsions of the times ; and that from the Revolution to 1824, he did as little, in consequence of the mismanagement and false principles of governments." During all which time, from the Reformation to 1824, he regularly fobbed his fees, although he never executed the warrant. It even appears that his means of success are now less than ever ; for we are told, in page 132, that he has been of late "so much impoverished," that he is unable to perform "divers of the acts which belong to his occupation ;" that his "energies" have been "of necessity weakened" very much by another party being put into the "commission ;" and that he is, moreover, a great deal put out of countenance by the public encouragement which is given to "the man against whom he has the warrant ;" and that for all these, and perhaps for other reasons, "his means of influence must be rapidly diminishing," whilst the "culprit" is destined to exercise an universal dominion. In page 151 we are informed of the cause which gives to Popery such superior power over the modern forms of Protestantism, and even over the Anglican Church ;" whilst, in another publication,\* a gentleman, supposed to be a minister of state, informs us, *multa gemens*, that the culprit, who was alive "when the leopards and tigers bounded in the Flavian amphitheatre," will probably "exist in undiminished vigour at that period,"—a little distant, we hope—"when

some traveller from New Zealand shall, in the midst of a vast solitude, take his stand upon the last remaining arch of London Bridge, to sketch the ruins of St. Paul's." *The Quarterly Review* informs us, notwithstanding this probability, that "it is by no means allowable to remove the evils arising from the contest between the culprit and the bailiff, until one party or the other is victorious" (p. 124)—which victory, according to the calculations of the bailiff's own friends, as recorded in the tour of Mr. Arthur Young,† cannot, according to the rate at which matters have hitherto progressed, occur sooner than 4,000 years from the day of the date of these presents. According to this calculation, the bailiff may reckon upon receiving his quietus about the same period as the Wandering Jew; and if the Rev. George Croly should wish to write a companion to the novel of *Salathiel*, he knows where to look for a similar and congenial subject.

We must dismiss the bailiff for the present. We, however, give him notice that, before the conclusion of the proceedings, we shall call upon him to answer the matters, not of one affidavit, but of many; amongst which are some even made by himself, and to show cause why he should not disgorge the money which he has extorted under the false pretence of having executed his warrant; and why he should not, in consequence of his numerous delinquencies, be disabled from ever acting as a *bound* bailiff again.

The arrangement of the *matter* is not much more elegant than the character of the style, having indeed a very strong resemblance to the distribution of coals in a sack, according to which method of disposition the writer has conglomerated a heap of materials, tragical, historical, comical, political, theological, and farcical; exhibiting in full activity his talents and attainments of every description,—logical, sarcastical, oratorical,—and his capacity for facetiousness, flattery, and calumny. But unfortunately, the fun, sneering, evidence, argument, slander, statistics, &c. are all shuffled up into a chaotical indigestion, where cool calculations are mixed with polemical fury, dry details with sanguinary intimations, hard abuse with "soft sawder,"† and levity of argument with ponderosity of wit.

"*Frigida pugnant cum calidis humentia siccis,  
Mollia cum duris sine pondere habentia pondus.*"

If, at least, there be any method in the affair, it must be of

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\* Vol. ii. p. 135, Eng. Ed.

+ Dialect of Mr. Samuel Slick.

the species called cryptical, of which the character is that it eludes all efforts at detection, or perhaps of that other sort called arbitrary, of which the principle is that the writer "can do what he likes with his own" as completely as if he were himself a Duke of Newcastle, and the fragments of the composition of no more importance than so many electors of Newark.

As the article is, to say the best of it, an extremely preposterous affair, we think that the most appropriate method of proceeding (especially as the subject is an Irish one,) will be, in descending to details, to begin at the end. The principal object then of the production, as stated in the conclusion, seems to be to procure a revival of the parliamentary committee of 1839, giving a new direction to the investigation; and the purpose to be accomplished by the enquiry is the discovery of a certain "power, of a mysterious and alarming nature, which is now, and has been for years, working in the heart of Ireland." Concerning the essence of this mysterious potentiality, it is very correctly affirmed that the reader of the *Quarterly* can form but a very inadequate conception from the previous hints which are contained in the article itself; but as the writer states that he will, in the next number of the *Review*, "ask the attention of his readers," as he elegantly expresses himself, "to another very important branch of the papist system in Ireland," it is to be presumed that, as the showman says, we shall see "what we shall see" some time upon or before the first day of April in the year 1841. In the meantime, it will be some consolation to us to know that this "mystery" has a quality which, to say the truth, is not a very common quality in the mysterious department,—namely, that "every part of it throws a light upon every other," for which reason, says the writer, "the parts ought to be all studied together." But, says he, when the enquiry is once commenced, the developement will "proceed easily," it being as we presume, the fact in this case, as in that of the gentleman who perambulated without his head, that the *pas premier* forms the most important part of the progress.

Of the sources of information which are to be made available in the forthcoming enquiry, some at least are a little out of the common line. All committees have the "power to send for persons, papers, and records." It has, however, hitherto been very generally the custom to confine their jurisdiction within the limits of the domestic and colonial possessions of the British empire; whereas the proposed

committee of the present session is to possess the power of "enquiring into the archives of the Propaganda." (p. 171.) We are not yet informed, but we shall be, of course, in the next number of the *Quarterly*, whether the members of the committee are to adjourn to Rome for the purpose of examining the archives, or will merely cause a *subpoena duces tecum* to be served upon the registrar of the Sacred Congregation, commanding him "to produce all records, papers, letters, writings, and all other documents whatsoever in his custody, possession, or power, touching, or in any manner concerning, a certain mystery, which is at present unknown," but of which we shall probably have some description in the next number of the *Quarterly Review*. Now, although the Pope's people are not in the habit of swearing that the King of England "neither hath nor ought to have any jurisdiction and so forth" in the States of the Church, as the King of England's people are in the habit of swearing "that the Pope *has no ecclesiastical authority!*" in the United Kingdom of Great Britain and Ireland, yet as the Pope, like every other sovereign, is "the man of the house when he is at home," we apprehend that his Holiness will scarcely yield obedience to the warrant of even the lord chancellor himself, and that the most interesting portion of the anticipated evidence will therefore not be forthcoming at all. For our own parts, as we really have a curiosity to get a sight of the pope's account books, we should be sorry if any disappointment should occur from that quarter; and we therefore take leave to suggest to the writer in the *Quarterly* the propriety of being prepared, in any event, with secondary evidence of the contents of the ledger of the Propaganda. For this purpose he may apply to the editor of the *Portfolio*, who is at present engaged at Paris, in conjunction with M. Thiers and Mr. Attwood, in preparing articles of impeachment against Lord Palmerston, for the disgrace which his lordship has brought upon the arms and policy of Great Britain by the disastrous failure of all our naval and military operations in Egypt, India, and China, and for the general depreciation which the power and character of the British empire have suffered in consequence all over the world. The pigeon-holes of Cardinal Fransoni must be as accessible as those of the Emperor of Russia, and with Mr. \_\_\_\_'s assistance it would be easy enough to procure, for an adequate consideration, copious extracts from the books of the Irish department of the Propaganda; and these, especially if "cross compared," would be as satisfactory as office copies, or perhaps even as

the originals themselves. In order, however, to lay the foundation for the admission of these documents of a secondary nature, he must prove that he has taken all possible means to secure the production of the originals; and for this purpose we recommend him to apply to Major Brown, the military commissioner of police in the city of Dublin. The major, who was examined before the Roden Committee, stated\* that the Dublin police, established by Lord Normanby, were "the most noble corps that ever was seen," and that there was not a man of them that would not arrest either the Pope in the Vatican, or the archbishop of Canterbury at Lambeth. Now a man that would arrest the pope in his palace would of course make very little difficulty about serving "a notice to produce" at the Propaganda; and as we do not know any body of men, except the papists of the Dublin police, upon whom full reliance could be placed for the due performance of such a service,—and as we are, moreover, anxious to procure the preference of the job for some fellow-countryman and fellow-religionist,—we hope that our "contemporary" will thank us for a suggestion which is so very much and so very evidently to his own advantage.

To return to the article; one of the subordinate objects which it professes to prove, in order to prepare the ground for the proposed enquiry, is that the outrages which are committed in Ireland are not at all of what is called an agrarian character—not attributable to any misconduct of the landlords towards the tenantry, or to any desire upon the part of the tenantry to retain possession of the land; but that they (the outrages) proceed from some secret cause which is a mystery and a problem; which mysterious and problematical cause is itself caused by some religious opinions and principles which happen to be at present under a lock; of which lock, as this writer observes with great sagacity, "the archives of the Propaganda might possibly furnish the key." (p. 159.) The luminous and stringent consequentiality with which this theory is wrought out, will appear from the following passages, which are extracted from pages 119-20.

"There are two facts on which all parties seem tolerably agreed, and they form the first paradox in the condition of Ireland. There rarely if ever was a country so blessed by nature—rarely if ever one so cursed by man. It seems to contain within itself every thing which a politician could desire to form a happy and mighty nation. A vast

population, fertility of soil, variety of produce, a mild climate, mineral treasures, abundant fisheries, extraordinary facilities for commerce, and a position, which, if properly occupied, would form the link between the new world and the old." [One would suppose that this was an extract from a speech of Mr. O'Connell.] "If the happiness and greatness of nations were to be measured by such things as these, Ireland ought to be the happiest upon earth. Instead of this she is peopled by paupers—crawled over by beggars, annually struck down with famine and fever: her land strewed with ruins from the cabin to the castle: her population haggard, *tattered*, and *broken* by want: her fields overgrown with weeds: her fisheries neglected: her harbours deserted: her towns streets of hovels: her hovels sheds, which an English farmer would scarcely think a shelter for his pig."

Here be goodly materials for the production and preservation of tranquillity amongst a population who, according to the same authority, are "warm-hearted and impetuous; whose *quick sensibility to justice* makes them revengeful, and who are full of intelligence and courage, as well as of devotion to the objects which engross their desires" (p. 120); among which objects, it is humbly submitted, that we are entitled to include the articles of clothes, lodging, and food. He elsewhere observes:

"We console ourselves with the epithet agrarian. It is indeed UNDOUBTEDLY true, that these outrages are connected with the possession of land: that land is of the utmost importance to the Irish peasant: that his LIVING DEPENDS on it; and that when he is threatened with STARVATION by EJECTMENT of any kind, violence MIGHT WELL BE EXPECTED."—p. 163.

Here, then, he himself expressly declares, that land is a *necessary of life* to the Irish peasant; that his *very existence depends* upon it; that *ejectment* from the land will consequently bring him to *starvation*; and that in such circumstances it "*may well be expected* that he should commit violence" for the preservation of his life. Yet no sooner does the peasant commit the violence *which the writer himself anticipated* as the *necessary consequence* of the actual or apprehended ejectment and starvation, than the writer immediately turns round and charges the violence to the account of a "*mysterious agency*;" attributes to "*occult qualities*" the open insurrections of an impetuous, intelligent, revengeful, courageous, and *starring* populace: and making no account of hunger, destitution, and destruction, as principles of causation in such a case, charges all the movements of Irish turbulence to the influence of a certain subtle, ecclesiastical

ether, whose fluctuations are propagated all the way from the "Sacred College" to Tipperary. Elsewhere he says,

"Let us not be supposed to recommend the notion of remedying the evil of a surplus population accumulated on estates *through the negligence of landlords*, by turning the *miserable paupers* into the *roads and ditches*. Over population is a great evil; *but if such steps should be taken to cure it, Ireland can expect nothing but a more AWFUL CURSE and a HEAVIER VENGEANCE!*"

Having stated that hunger and approaching destruction must necessarily produce violence, and that hunger existed with its most loathsome accompaniments to an extent as unprecedented as it is horrible, and that the violence which he *expected* as its *inevitable consequence* had *ensued as a matter of fact*, he attributes the violence not to the cause from which *he himself* expected that it would result, but to a certain "dark mysterious influence, which is felt rather than discerned, and which does indeed require all the power and ingenuity of government to trace it to its source," (p. 142-7)—a "power which keeps Ireland ready to move at any moment, and by a hand which no one sees." (p. 159.) We are told by some writers that there are bodies so exceedingly fine that their very exility makes them susceptible of active sensation. But the present writer goes even farther than that, and has discovered a power whose invisibility is so decided as to make its existence perfectly certain. The advantages to be derived from this theory are quite the reverse of those which are procured through the medium of Lord Oxmantown's new Irish telescope, which is of such an extraordinary power that it enables the spectator *not to see* the two rings of the Georgium Sidus, which Dr. Herschell saw (inaccurately, of course) through his instrument of inferior power.\*

We are informed that the University of Oxford received its first lessons in Metaphysical Dialectics from "the subtle Hibernian Doctor;"† and it is perhaps in consequence of the original bias impressed upon the direction of their studies, that the alumni of that establishment have so frequently exhibited so very elaborate a deviation from common-sense. One of them now informs us that there is in Ireland "a singular mysterious power which is now establishing the reign of terrorism there"—page 129; and which causes all the outrages

\* See Professor Robinson's account of the instrument, in a lecture lately delivered at the Royal Irish Academy.

† Scotus Erigena.

and controls all the parties in that country. This power, says the writer, is not in the Government; for by this power "the Government is bewildered and paralyzed"—page 160. It cannot be "in the aristocracy or in the gentry, for they all repudiate the connexion"—page 170; and although it "not merely spreads through the peasantry, but penetrates into the bosoms of families," (page 163), yet "it is *not in the people.*" (page 170.) It even "bows the people down into a fearful submission," (page 160); and although "its ministers are spread throughout the whole country," (page 162), yet "it cannot be of a democratical nature." (page 165.) This latter proposition is established by several proofs in the same page, but perhaps a more satisfactory reason than any of them for assenting to it, is that which is given in page 156, in the following words:—"Democracy in Ireland! Alas, what are men thinking of? They may as well talk of the democracy of Morocco!" We are finally told, that "it cannot be a Roman Catholic spirit even in Mr. O'Connell's followers, for his maxims would destroy Popery as well as the Church of England." (page 170.)

This enumeration completely exhausts all the possible varieties of the lay population of Ireland. Let us, with the assistance of the *Quarterly Review*, endeavour to trace, if we can, the existence of this mysterious power amongst the clergy. "This power in Ireland," says our philosopher, "*cannot be the priests*, who are evidently only instruments in the hands of this power," (170), "*who are checked*" Hibernice, "*by this power*, when they *hesitate to march along with it*" (159.) This operation of *checking* a priesthood which *hesitate to advance*, would be considered a piece of supererogatory interference in any part of the world except Ireland.

An additional reason for believing that this power is not in the priesthood, is, that the power is "an arm of physical violence *distinct from the priesthood*," (p. 159); and a still more satisfactory one is to be found in the fact, that "this power spurns and *attacks the priesthood*, for *priests* in this case are *beaten* as well as others." In the same page, however, the power is described as "allied with the priesthood," "joined with it," "*distinct from it*," "*united with it*," "*obeying it*," and "*attacking it*!" we are then told that the power which is *not in the people*, is embodied in the amiable form of a "*population of Thuggists* which bows down the people." (p. 160.) That there is a committee of these Thuggists in every parish,

under the name of Ribondmen and Whitefeet; that this committee are cooperating with the parochial priesthood; (p. 160); that, in obedience to the priesthood, they murder everybody who is denounced from the altar, (p. 159), but that they are not responsible to the priesthood (p. 158); that the power in question cannot be other than priestly (165); that the power must be some power within the Church of Rome (159), but that its agents are bound by an oath not to communicate their secrets to any priest or bishop, or any person within the Church of Rome (159); that the priests, beyond contradiction, possess *absolute* power over the people (p. 155); and that the people prove the absolute quality of their submission by occasionally thrashing the priests. (p. 159.) This very copious and very satisfactory induction reminds us of the luminous explanations which the philosophers of Sir Thomas More's time used to give of the nature of *materia prima*, which they negatively described as consisting *neither* in quiddity, nor in quantity, nor in quality, nor in any of those—*aliquid eorum*—which determine the essentiality of entity. One Adrian Heereboord, who happens oddly enough to have considered this definition to be slightly deficient in perspicuity and positiveness, has, for the benefit of posterity, completed the explanation of the subject by informing us that *materia prima* is neither body, nor exists by the form of corporeity, nor in that of a simple essentiality. And yet, says "Adrian," it is an entity, and indeed a substance, though an incomplete one, and is capable of both an entitative activity and a subjective potentiality. The "explanation" of Adrian Heereboord had hitherto been, as we believe, unrivalled. But it is no longer so. From the university which received its first lectures from the subtle Scotus, we have heard a dogmatical and oracular professor of something or other, proclaim to the world that all the evils of Ireland are attributable to a power which exists in that country, but which is not in the government, or the aristocracy, or the democracy, or the bishops, or the parsons, or the priests, or in the followers of Mr. O'Connell, or even in Mr. O'Connell himself. From which premises, the only conclusion which we can draw, is, that the power in question, like the island of Medamothi in Rabelais, is to be found in that peculiar sort of a locality, called *nowhere*. As to the nature of the power, we must for the present content ourselves with a description à la Heereboord, which informs us, that it is generally speaking neither ecclesiastical nor temporal. Then, descending to specifications, that it is neither archiepis-

copal, episcopal, sacerdotal, or diaconal; neither legislative, administrative, judicial, territorial, aristocratical, squirearchical, or democratical, in either of the religious departments. "And yet," says the Heereboord of Turle Street, "it is a power, and even an irresistible one," and so forth, copying Heereboord *ut supra, mutatis mutandis*. That any man, much more than a gentleman who by some persons is looked upon as one of the lights of the world, should exhibit such an example of serious and elaborate self-stultification, is truly extraordinary. Yet the same writer, in the same article, even out-Herods this Herod. In page 163, he says, "How can the attribution of these outrages to disputes about land be reconciled with the fact so often urged against the Irish landlords, that *they are ejecting their tenantry by hundreds*?" The ejection, according to himself, naturally generates violence, but how, says he, can the violence be attributed to the ejections, when the ejections are so numerous? This cause may be well expected, as it seems to produce this result; but how, says the philosopher, can the result be expected to happen at all when the cause happens so frequently? In this case the cause is not, like the lady's grief in the tragedy, "great because it is so small," but small because it is so great. When professors of moral philosophy build up their argumentations in this wise, the dialectical dexterity of a freshman at Exeter College must be something like a negative quantity. In another place, he says, "Think of this, and then ask, if you will, whether these agrarian outrages have not some deeper meaning than the struggle of a peasantry for *land*." We shall be happy to ask the question, and to procure answers to it from witnesses whom the *Quarterly Review* will certainly consider to be of the very highest authority.

"The anxiety of the peasantry to keep land," says Mr. Barrington (H. C. 1832, No. 11 to 49), "is such, that they promise any rent, however unable to pay it. I attribute the disturbances in some degree to the over letting the land for more than its value, and then dismissing the tenant when he is unable to pay the rent promised; knowing that when he is turned out he must probably starve."

"There is in Ireland," says Mr. Barry, "such a competition for *land*, that it generally rests with the landlord to name his own rent" (Evid. H. C. 1830, 195, 367).

"This competition," says Mr. Wyse, "is universal and unabated. Landlords take advantage of the DREADFUL NECESSITY, and exact rent out of all proportion with the value of the land. The consequences are obvious—if the tenant *pays* he must *starve*" (H. L. 1824, p. 8; idem. H. C. 1824, pp. 5 and 6)—if he does not pay he

is turned out—"converted," says Mr. Smith O'Brien, "into a forlorn outcast, without employment or provision."\* "The desolate wretch," says Sadler,† "is in such circumstances, driven to desperation, and forming a connexion with a multitude of others who have been similarly treated, he proceeds to those acts of violence which are so frequent in Ireland."

"*Land*," says Mr. Francis Blackburne, "is to the Irish peasant a necessary of life. The consequence to him of NOT getting it is STARVATION."—Lewis, p. 78.

Mr. Blackburne has been twice attorney-general of Ireland, and may yet possibly be the chief justice of the Queen's Bench, or even lord chancellor of that country. His politics are nearer to toryism than to those of any other party. He administered the Insurrection Act, in 1823, in Clare, Limerick, and Tipperary.

"Mr. Matthew Barrington says (Roden Committee, 764), the *actual existence* of the peasantry depends upon their having *land*; and the WHOLE DISTURBANCES of the country are produced by a desire to possess it."

Mr. Barrington, besides having been for about seven-and-twenty years the crown solicitor of the province of Munster, is a large landowner himself, and is one of the landlords enumerated by the *Quarterly Review* (p. 141), "as shewing an interest in their tenants, and studying their comfort and improvement."

"Major Warburton says, the destitution produced by turning persons out of their *land*, when they have no other means of existence, is a very great source of crime, as such a state of things must naturally involve the people in criminal endeavours to procure the means of maintaining their families."—1266-7-8.

"Mr. Piers Geale says, if a poor man is deprived of his *land*, he has little to depend upon, and is therefore extremely reluctant to leave the *ground*, and indignant at any person that takes it over his head."—8605.

"Judge Moore says, that the outrages in Clare, Galway, and Limerick, in 1830 and 1831, arose from the pressure on the lower orders by the extreme price of *potato land*. The people turned up the *green ground* in order to increase the quantity and diminish the price of *potato ground*."—14,375, 14,379.

"Mr. Sylvanus Jones says, that the outrages committed in Wexford lately have been the result of persons taking *land* over the heads of others."—14,475.

"Mr. Tomkins Brew says, that there is great difficulty among the

\* Speech on Emigration, in the House of Commons, June 2, 1840.

† "Evils of Ireland :" Murray, Albemarle-street ; 158.

peasantry in procuring *land* for potatoes. Although they are willing to pay from 8*l.* to 10*l.* an acre for it.—12,719-20."

"Mr. Barrington says, that the threatening notices lately served upon the farmers in the county of Clare were produced by the *anxiety of the poor people to get conacre*. And the late *outrages* in Clare have been *put an end to* by giving the people *some ground for potatoes*." 7,636, 7,343.

"Mr. Tomkins Brew says, that the cause of the crime of Terry-Altism in Clare, was the *tenants receiving notice to quit*; that the people of Clare are, in many districts, in a state of great destitution, and likely to be worse next year; that the attacks on houses in Clare, in 1837, proceeded from the scarcity of provisions—*when a supply came the outrages all ceased*."—12,717, 12,726, 13,048.

"Mr. Tabiteau says, that there is great destitution in his district (Tipperary); that the disturbances mostly prevail during the season *when there is no employment*; that when they have no employment they have *nothing* to depend upon, unless they can get a *bit of ground*; and that *something about land* is the cause of *all* the murders committed there."—9735, 9914, 9739, 9746.

"Mr. Drummond 'says, the *subdivision of land* no longer proceeds as heretofore; it is now checked, and a *contrary process* is taking place by the *enlargement and consolidation of farms*; while the *population*, which depends upon the *land alone* for support, is still *increasing*. The *demand for land* is consequently, and of *necessity*, *greater than it was before*; while there is a *decrease* in the *supply* of it, arising from the *consolidation of farms*. In a former answer I alluded to that circumstance with reference to the state of crime, showing that a *great proportion of the violent infractions of the law prevalent proceeded from this class*, and that, as long as from any cause there is increasing destitution, there will, as a matter of course, be increasing crime.'"—14,024.

"Major Warburton says, that such a state of things *must necessarily involve people in crime*, when they are reduced to *destitution* by being *turned out of their lands* without having *any means of subsistence*. He also states, that the causes which produce crime and outrage at present, are the same causes which for many years back, have produced the same results."—1266-7-8, 1272.

"Colonel Shaw Kennedy says, the great groundwork of all white-boy offences is connected with land. Whatever affects the tenancy of *land* will instantly affect crime."—266, 282, 283, 286, 291.

"Sir William Somerville says, that the only violent outrage he can recollect in Meath for three or four years, is the murder of Mr. Hatch, which was committed 'for the old cause of *ejectment*', he having turned out a tenant."—14,591.

"Mr. Kemmis says, that the *great majority* of violent crimes in Tipperary are produced by *turning tenants out of possession*. *Three-fourths or more*."—7149, 67,434-5-6.

"Mr. Howley says that, from conferences with other barristers, it

appears that ejectments at sessions are *more numerous in Tipperary than in any other county*; and that he himself has had more than 150 at one sessions. There are also a great many ejectments brought in the superior courts."—9991-2, 9974.

"Mr. Tabiteau says that ejectment is synonymous with reducing the cottier tenant to destitution and misery."—9720.

"Mr. Barrington says the general cause of outrages at all times in Ireland is *anxiety to possess land*; such has been the case since 1761. Whilst I have been crown solicitor (for five-and-twenty years) I could trace almost *every outrage* to some dispute about *land*.—7346-7.

"Mr. Tierney says that the prevailing cause of outrages is the letting and possession of *land*, and the *dispossessing of the former tenants and occupiers*."—7728.

"Mr. Hickman says, that in Roscommon, Leitrim, and Sligo, the outrages arise from the taking of *land*. That they all arise from *land &c.*"—8321-2-3-4, 9605.

"Mr. Piers Gale says that *outrage* has almost *always* a connexion with *land*."—8605.

"Mr. Seed states, that the two great causes of outrage are faction-fights and disputes about *land*. (See the same witness, 10,750 to 10,755, for a description of the desperate character of these fights, and the complete success of Lord Normanby's government in putting them down.)"—10,736.

"Mr. Barnes (stipendiary magistrate) says that the murders in Longford were the consequence of people being *turned off their land*, and strangers put in."—11,755-6-8.

"Captain B. Warburton (stipendiary magistrate) says, the murders and outrages that have happened lately in Galway, have risen from disputes about *land*. The *principal and primary object of all associations* among the *peasantry* is the *taking and keeping of LAND*. 'I am *not aware of ANY conspiracy among the peasantry of Ireland not IMMEDIATELY connected with LAND*.'"—9379 to 9421, 9382.

The preceding five-and-thirty statements were made before the committee of 1839, and among the witnesses are the six crown solicitors of Ireland, who are *immediately concerned* in prosecuting *every outrage* committed in that country. Of these gentlemen something more will be said *infra*. What will the querist in the *Quarterly* say to this evidence, taken from the very documents the names of which he has placed at the head of his lucubrations? Is it possible that he can have been ignorant of the existence of this evidence, when he put the question which we have just answered? Is it possible that he can be ignorant of the hundreds of similar passages which we could produce, if there were space to do so, from other witnesses, equally or if possible more respectable than

the gentlemen whose testimony we have just cited? But the writer in the *Quarterly* adventures upon a still bolder flight. In page 165, he says, "*In the kindness of their landlords, much abused and calumniated as they are, there is every thing to keep the peasantry quiet.*" In answer to this shameless assertion, in support of which no evidence whatever is even referred to, we could cite some hundreds of authorities of the most unexceptionable character. We must, however, content ourselves for the present with calling only four witnesses into court. The Right Hon. John Wilson Croker, whose word will pass for something in Albemarle Street, informs us, in his work upon the state of Ireland, that "rents in that country are *not a portion* of the produce, but *nearly the whole of it*; that the actual cultivator is seldom *better paid* than by *scanty food, ragged raiment, and a miry hovel*; and that competitors for land will offer the *whole value of the produce*, minus the daily potatoe."<sup>\*</sup> These are comical proofs of the benevolence of landlords, and of the absence of causes for discontent amongst the tenants. In the *Times* of the 25th of Oct. 1839, some very interesting and important extracts are given from what the editor very justly calls a very valuable book. Amongst these extracts are the following: "*More misery is crowded into a single province in Ireland than can be found in all the rest of Europe put together.* To this pass are things come, in order to benefit a *small knot of haughty, unfeeling, rapacious landlords, the well-being of millions is disregarded, famine and misery stalk through the land, and all good government in Ireland is rendered impossible, and government of any kind impracticable, except through the medium of a military force.*"

The next witness whom we shall examine is Mr. Sadler, who represented the Duke of Newcastle in the House of Commons, and who, in a work upon the evils of Ireland, which was published by John Murray of Albemarle Street, hath expressed his opinion upon the matter in question in the following words:

*"Is a system which can only be supported by brute force, and which is kept up by constant blood-shedding, to be perpetuated for ever? Are we still to garrison a country to protect the property of THOSE WHOSE CONDUCT OCCASIONS ALL THE EVILS UNDER WHICH THE COUNTRY HAS GROANED FOR CENTURIES—property which has*

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\* Cited in Mr. Spring Rice's (Lord Mountagle) "Inquiry into the effects of the Irish Grand Jury Laws;" published by John Murray, Albemarle-street.

*been treated in such a manner, that it would NOT BE WORTH A DAY'S PURCHASE were the proprietors its sole protectors; but the presence of a large body of military and police enables them to conduct themselves with as little apprehension as REMORSE. The possessions of the whole empire would be lost to their owners were such conduct GENERAL; and are these so meritorious a class, that they are to be protected in the audacious outrage OF ALL THOSE DUTIES, upon the direct and reciprocal discharge of which THE WHOLE FRAME OF THE SOCIAL SYSTEM IS FOUNDED. If they persist in this course let them do so at their own peril; the British soldier is too noble a being to be degraded into the exuctor of enormous rents, &c."\**

The fourth and last authority to which we shall appeal is none other than the *Quarterly Review* itself, which, miraculous as the fact may appear, does actually contain the following passage upon the subject in question:

"In Ireland alone is to be found a population abandoned to the mercy of the elements of chance, or rather of THE LEGAL OWNERS OF THE SOIL, who are protected by an ARMED POLICE, AND A STRONG MILITARY GARRISON, IN THE EXACTION OF UNHEARD OF PECUNIARY RENTS from a DESTITUTE TENANCY—rents which are ONLY paid by the EXPORTATION OF THE GREAT BULK OF THE FOOD RAISED IN THE COUNTRY, leaving to those who grow it a BARE SUBSISTENCE UPON POTATOES, EKED OUT WITH WEEDS. We fearlessly assert, that there rests not so foul a blot upon the character of any other government. The wretchedness of the mass of the people has no parallel on the face of the globe, in any nation, savage or civilized. A population of eight millions left to live or die as it may happen—the people STARVED, DISPIRITED, NAKED, and BEGGARLY—the produce of whose industry is swept off to other lands to be sold for the EXCLUSIVE BENEFIT OF MEN WHOM THE LAW INVESTS with the unconditional ownership of this fair portion of God's earth, and with the POWER OF ABSOLUTELY STARVING ITS INHABITANTS; and THIS LAW WE EXPECT THIS UNHAPPY POPULATION TO CHERISH, VENERATE, AND IMPLICITLY OBEY.—SHAME! SHAME! we repeat,"† &c.

Here then we have the *Quarterly Review* declaring in one place, that in the kindness of the Irish landlords, there is everything to keep the population of that country quiet, and that the persons who attribute any part of the disturbances to the landlords are abusive calumniators; whilst the same *Review* states, in another place, that the same landlords habitually murdered the same population, by robbing them of almost the whole of the food which they had themselves produced, and leaving them to live, or rather to die, by feeding upon

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\* Second Edition, pp. 161-2.

+ Quarterly Review, Dec. 1835, p. 145.

weeds. Where is the editor of the *Quarterly Review*, or what is he about?

"Sleep you or wake you, oh L——t bright."

Thy *Quarterly Review*, like the "delicate monster," in *The Tempest*, hath, in the language of Stephano,

"Two voices. His *forward* voice now is to speak well of his friends. His *backward* voice is to *utter foul speeches*, and to *distract*." —Act ii. scene 2.

Both voices cannot be true. By which, then, will it abide? If its forward voice be correct, then is the monster, according to its own decision, an abusive calumniator. If its backward voice is entitled to credit, then is it, self-evidently, guilty of uttering a wilful and a deliberate falsehood.

Here we must for the present conclude. In our next number we shall proceed to refute the remaining arguments, and subvert the other assertions of the *Quarterly Review*. In the meantime we submit as a question for the consideration of the editor of that eminent publication, whether it be in conformity with the established principles of civilised, political, or polemical warfare, to allow the influential work, over the composition of which he presides, to be made the medium for propelling into the world a mass of wild and calumnious assertions, some of the most important of which we have shown to be not only destitute of the smallest semblance or shadow of truth, but to be contradicted in the most glaring and inconceivable manner by other passages, not only in the same publication, but in the very same article itself.

ART. VI.—*Sketches in Ireland, descriptive of interesting districts in Donegal, Cork, and Kerry.* Second Edition. Dublin: 1841.

THE speakers in that admirable dialogue which exhibits Spenser's "View of the state of Ireland" towards the close of the sixteenth century, set out with the following remarks.

"Eudoxus. But if that countrey of Ireland whence you lately came, be of so goodly and commodious a soyll as you report, I wonder that no course is taken for the turning thereof to good uses, and reducing that nation to better government and civility.

"Irenaeus. Marry so there have bin divers good plottes devised,

and wise counsels cast already about reformation of that realme ; but they say it is the fatall destiny of that land, that no purposes whatsoeuer which are meant for her good wil prosper or take good effect, which, whether it proceed from the very genius of the soyle, or influence of the starres, or that Almighty God hath not yet appointed the time of her reformation, or that Hee reserveth her in this unquiet state still for some secret scourge, which shall by her come unto England, it is harde to be knowne, but yet much to be feared.

“ *Eudoxus.* Surely I suppose this is but a vaine conceipt of simple men, which judge things by their effects, and not by their causes ; for I would rather thinke the cause of this evill which hangeth upon that countrey, to proceed rather of the unsoundness of the councells and plots, which you say have bin oftentimes laid for the reformation, or of faintness in following and effecting the same, then of any such fatall course appointed of God, as you misdeem ; but it is the manner of men, that when they are fallen into any absurdity, or their actions succeede not as they would, they are always readie to impute the blame thereof unto the heavens, so to excuse their own follies and impersecutions. So have I heard often wished also, (even of some whose great wisdomes in opinion should seem to judge more soundly of so weighty a consideration), that all that land were a sea-poole ;\* which kinde of speech is the manner rather of desperate men farre driven to wish the utter ruine of that which they cannot redress, then of grave counsellors which ought to think nothing so hard, but that through wisdome it may be mastered and subdued, since the poet saith that ‘ the wise man shall rule even over the starres,’ much more over the earth.”

Nearly two hundred and fifty years have elapsed since these observations were made by a clear-headed and most kind-hearted man, himself one of the “grave counsellors” who loved Ireland well, and sincerely desired to promote her welfare. Nevertheless, there is much in these remarks which may still be justly asserted as applicable to the measures intended for the benefit of this country. There is, perhaps, no portion of Europe concerning the amelioration of which more has been written by economists of various descriptions than that which a great majority of them agree in designating as “unfortunate Ireland”—unfortunate truly in many points of view, but most especially in the utter failure of numberless private and public projects desired for her social, political, agricultural, and commercial improvement.

The truth is, to use a coarse but very intelligible adage, “the bull has never yet been taken by the horns.” The

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\* The late Sir Joseph Yorke’s famous exclamation—“ That it were well if Ireland were buried in the bottom of the sea !”—has not therefore the merit of novelty.

laws by which the aboriginal population of Ireland was governed, were calculated to repress and resist every form of legislation or custom by which any large mass of families could be brought within the pale of a fundamental system of organisation. On the contrary, the system which prevailed amongst our early generations, resembling closely that of the Scottish clans, by dividing our people into many factions, each having its separate chieftains, hereditary or elective, tended perpetually to keep asunder, and in an attitude of hostility against each other, sections of the inhabitants, who ought, for all purposes connected with the cause of tranquillity and order, to be combined by local arrangements into one great national family.

If we examine the history of England, we shall find that all her great juridical and legislative institutions are traceable to the tithings, and the hundreds, and the wapentakes, which were originally introduced from Germany. When Alfred inquired into the causes of the disorders which prevailed during the early part of his reign, he soon found that they were chiefly to be ascribed to the desuetude into which those noble devices for the maintenance of the public peace had fallen. He applied himself at once to the revival of those systems. He "took the bull by the horns." He felt that the best mode of governing the multitude was to teach them how to govern themselves; he re-divided them into the local societies known under those ancient titles; those societies became answerable to each other and to the community at large for the preservation of order in their respective districts. The members of each society easily learned and practised their duties, acquired a respect not only for others but for themselves, learned not merely to obey, but to love and cherish, and enforce every ordinance of their legislator which facilitated the execution of the office they had pledged themselves to perform, and thus constituted a solid foundation, upon which the great pyramid of British society has since been raised.

No course of legislation parallel, or at all like to this, has ever yet been adopted with reference to Ireland. When the English first turned their attention to this country, their predominating design was just the same as that of the Danes—plunder. They next became ambitious of making conquests. They discovered here a land fertile beyond all expectation, charming for its scenery, and of a climate much milder than their own. They overran it, parcelled it out among their

military chieftains, erected here and there castles and fortresses, and expected that by such measures they had secured their new possessions. They were not long in discovering that they had made many false calculations, when they supposed that their incursions created enough of terror to protect their acquisitions from invasion; and, without going into further details, it may be affirmed that almost every law for the political government of Ireland, from the first period of the English invasions to the moment in which we write, has been founded in the idea of "conquest."

For the justification of this assertion, we need only refer to the ordinances against the "mere Irishry" which denounced them all as outlaws, and set rewards upon their heads; to the municipal corporations designed chiefly to carry those ordinances into effect; and to the repeated and obstinate efforts which at a later period were made to force upon our ancestors a form of religion to which our people were, and still are, most resolutely opposed. The line of the "pale," castles, schools, colleges, churches, barracks, prisons, were all established here in the spirit of military violence and subjugation; and the well-known code of the penal laws against Catholics, though since, in a great measure, repealed, stands out as a frightful monument of the injustice to which the frenzy of legislation can be carried, when it is conducted in a spirit of hostility, and finds itself baffled and disgraced at every step it takes.

The very act of emancipation itself, do we not now know from irrefragable evidence, that though yielded as a measure of state expediency, it was not intended, by those who last proposed it, to be executed to any material extent? The outcry raised against Her Majesty's Government in consequence of the appointment of two or three Catholics to subordinate offices—raised, too, chiefly by the very party who were in power when that act was carried, shews, in language not to be misconstrued, that they, when they sanctioned that measure, had not the most remote intention of reducing it to any practical form of benefit for the use of the people of Ireland. On the contrary, it was designed to be applied as a new instrument for preserving and perpetuating discord throughout the nation.

What is Lord Stanley's Registration Bill, but another phase of the old law of the "pale?" Can we yet forget the harangues made in both Houses of Parliament against the Irish Municipal Corporation Bill—all of them dictated by the

same spirit which animated the followers of Strongbow, of Cromwell, and William III, when fighting against our national forces for the soil on which they stood—a spirit which, during the whole reign even of George III, denounced as overt acts of high treason all the constitutional steps adopted by the most enlightened and patriotic Irishmen of the day for the attainment of reforms that have since been by degrees extorted from Parliament through the force of public opinion.

The territorial divisions and subdivisions of Ireland into provinces, counties, baronies, and townlands, had no more to do with the Saxon system of the tithing and hundred, or in other words the system of self-government, than had the divisions of archdiocess, diocess, deanery, and parish, which were for mere ecclesiastical purposes. It would appear from Spenser's "View of the state of Ireland" already referred to, that he had contemplated the introduction into this country of the Saxon system.

"*Eudoxus.* Therefore now you may come unto that generall reformation which you spake of, and bringing in of that establishment by which you said all men should be contained in duty ever after, without the terror of warlike forces, or violent wresting of things by sharpe punishments.

"*Irenæus.* I will so at your pleasure, the which (methinkes), can by no meanes be better plotted then by ensample of such other realmes as have been annoyed by like evills that Ireland now is, and useth still to bee. And first in this our realme of England it is manifest by the report of chronicles and ancient writers, that it was greatly infested with robbers and outlawes, which, lurking in woods and fast places, used often to breake foorth into the highwayes, and sometimes into small villages to rob and spoyle. For redresse whereof it is written, that king Alured, or Aldred, did divide the realme into shires, and the shires into hundreds, and the hundreds into lathes or wapentakes, and the wapentakes into tythings."

The speaker then proceeds with a detailed description of these institutions, with which we need not trouble our readers. He compares this scheme of government to that suggested by Jethro, who advised Moses to divide the people into hundreds, and to set responsible captains over them. He appealed also to the policy of Romulus, who divided the Romans into tribes, and the tribes into centuries or hundredths.

" By this ordinance (he proceeds), this king brought this realme of England (which before was most troublesome), unto that quiet state, that no one bad person could stirre, but he was strait taken holde of by those of his owne tything, and their tything man, who being his

neighbours or next kinsmen, were privie to all his wayes, and looked narrowly into his life. The which institution (if it were observed in Ireland), would worke that effect which it did in England, and keep all men within the compasse of dutie and obedience."

It is, however, suggested by Eudoxus, that this advice is inconsistent with an opinion which his friend had previously advanced, that there was a great dissimilarity between England and Ireland—so great, that the laws which "were fitting for one, would not fit the other." To this objection it is answered, that the situation of England, when the institution in question was resorted to, very much resembled the situation of Ireland at the time when they were speaking, "every corner of England having a Robin Hood in it, that kept the woods, that spoyled all passengers and inhabitants, as Ireland now hath." They then go on to discuss the matter, and finally agree in opinion that some such arrangement as that which they had thus spoken of, was an indispensable preliminary to all other measures that could possibly be projected for the effectual civilisation of this country.

To this opinion we entirely subscribe. It is impossible, we think, for any stranger, who has travelled through any considerable portion of the south or the south-west of Ireland, not to come away with the impression that he has been amidst a vast conflux of people, to whose individual good feeling or morality alone he has been indebted for the safety of his person, and of such property as he may have had with him during his travels. He feels that he might have been plundered and even murdered with entire impunity; for, although there is a large body of police distributed through the country, exceedingly well organized and conducted in every respect, yet it is not in their power to prevent crime, or, with the utmost exertion, to detect the robber or the murderer in nine cases out of ten. The localities are not responsible. Inquiry is made; but nobody is bound to give an answer. Assistance for the discovery of the criminal is asked, but it is rarely given. On the contrary, it cannot be denied that the sympathies of the multitude are not with the law; for the people have seldom known the law approach them in any other than an inimical form.

Foremost, therefore, in our catalogue of "the wants of Ireland," stands this fundamental measure of a division of all the families of the kingdom into societies, such as those of the tithing and the hundred. There was undoubtedly a time when local associations, even for laudable purposes, might

have been speedily perverted to evil; but we are of opinion that this time has gone by. The Temperance Registries already comprehend four millions of our population. Here is a pledge for the safe working of a system of organization of the kind we have mentioned. Indeed, local associations and committees, formed already by all those who have taken the temperance pledge, would furnish such facilities as never before existed in this country for the establishment of the system in question. That system, moreover, would seem to be one of the natural results of the temperance resolutions which have been so widely adopted, and so faithfully acted upon. The season, therefore, for such a measure would appear to have arrived, and the sooner it is arranged and applied, the better.

It would, however, be vain, we fear, to expect much benefit from the mere organization of the people, unless the measure were accompanied by other arrangements of an equally important character, connected with the distribution of the land throughout the country. One of the results of organization ought to be the creation, sooner or later, of a numerous class of yeomanry, possessed of a permanent interest in the soil. We are perfectly aware that we now approach a part of the subject which presents many difficulties, and requires to be treated with the greatest circumspection and delicacy. The facts that a very large proportion of our territory is owned by Protestants, a great proportion of whom derive their titles from laws of confiscation; and that the actual occupants and cultivators of that territory are Catholics, to whose ancestors it belonged down to a period of our history not so remote from the present day as to have acquired the obscurity of entire oblivion, do undoubtedly tend to throw in the way of the measure which we advocate impediments of a very perplexing nature. And unless the land proprietors be prepared to enter into the consideration of this matter in a spirit of patriotism and generosity, the discussion of it might, possibly, be productive rather of danger than of benefit to the relations already subsisting between landlord and tenant.

We need scarcely remark, that most of the capital crimes recently, or indeed for many years back, perpetrated in this country, are traceable to disputes connected, under some shape or other, with land. We fear that at no period did a mass of resentment more bitter or more deep, exist in the minds of our agricultural population, than may be found in it at this moment, arising, in many cases, from the actual or menaced

expulsion of small holders from the miserable cabins and gardens which they have occupied for years. They suspect, some perhaps not without reason, that some of the principal land-owners have entered into a kind of confederacy against them; that the small farms are to be done away with altogether, and that a design is entertained to send out of the country, if possible, and if not possible, at least to remove from the cultivated soil, the Catholic cottiers and peasantry, with a view to make room for Protestants. Undoubtedly, some circumstances have occurred, which afford a strong presumption in favour of this suspicion.

Indeed, we happen to have obtained possession of a manuscript, consisting of nearly a hundred closely written pages, copies of which have been in course of private circulation during these last ten years, amongst landowners in Ireland. Its main object is to accomplish the purpose just alluded to. It begins by denouncing the authority alleged to be exercised by the Catholic clergy, and insists that no means should be left untried with a view to put that authority down altogether. The writer points out, as a terrible blunder on the part of the landlords, the multiplication, in former years, of the forty-shilling freeholders, inasmuch as it tended to the breaking up of the grass lands, to the conversion of them into tillage, and to a great increase of the Catholic population. He proposes that the "Irishry" should be sent away to Canada, or elsewhere, and that the tracts which they occupy at home, as well as the waste and bog-lands, should be colonized by English. He is of opinion that manufactures ought to be encouraged in Ireland, as they would necessarily bring over from England great numbers of the operatives, who being Protestants chiefly, would in due time supplant the Catholics.

These topics being disposed of, the author enters into some general observations of a less bigoted and a much more practical description, which deserve some attention. He calculates, from experiments made in England, that the Irish bog lands might be transformed into good soil at an expense of about £5 per acre (English), and that an income might be thus created of £30,000 a year, at less than six years' purchase. He remarks, and here our own observation fully bears him out, that the Irish bog lands are, in general, so situated, as to be easily rendered accessible to inland navigation, by which the supply of lime and sand would be greatly facilitated, and their produce carried to the nearest market at a very moderate expense. All attempts to diffuse manufactories throughout

Ireland must, in his opinion, turn out to be abortive, unless the bogs be colonized, and coals be rendered plentiful throughout the whole of the interior. Ireland also, he very justly observes, wants copse-wood and timber, for mining and other purposes.

It is much to be lamented that any body of men, especially of men of so much influence as the landed gentry of Ireland, should in any manner connect their views for her welfare with designs hostile to her religion. That those designs will be frustrated we feel perfectly assured. No combination of human power can ever make the slightest impression upon the Catholic population of this country, so far as their religion is concerned. That object has been attempted over and over again through various kinds of instrumentality—military armaments, persecuting laws, confiscations, new systems of worship;—all have utterly failed. Instead of expending their energies upon experiments which can be of no sort of advantage to themselves, the landowners would do well to consider whether they could not devise some measures for the creation of a numerous class of yeomanry, without reference to any form of faith. Amongst these measures, a leading one should be, in our opinion, the distribution among the people of the bog and waste-lands upon such terms as might enable a considerable number of them to become proprietors of allotments, varying from ten to fifty English acres, according to circumstances. These allotments might be made by government agents; a price fixed upon them at which owners should be obliged to sell, and which persons willing to purchase should be at liberty to pay; for all such payments every possible facility should be given through the medium of loan banks, and the receipt of the purchase money according to a graduated scale of instalments. An operation of this kind would, we freely admit, be attended with great and numerous difficulties—difficulties arising especially from the competition to which such a plan would give rise; but the difficulties are not insurmountable. The plan might embrace not only the bog and waste lands, but also such estates as are ordered to be sold by the courts of equity, or announced for sale by direction of their proprietors. All such properties might be bought up by government, and disposed of in the way we have suggested.

We are, of course, aware, that societies for the cultivation of waste and bog lands in Ireland have been organised in London, and that recently, what is called an "agricultural movement" has been attempted by a most respectable associa-

tion in Dublin. We beg to be understood as entertaining no sort of disposition to undervalue the exertions of these various confederations. They have it in their power, undoubtedly, to do much good, and if they should accomplish even a small part of all the improvements which they propose, they will entitle themselves to the gratitude of the nation. Even the public discussion of the subjects which appertain to the designs they have announced, cannot fail to be of service to the community. But the pervading defect of all these volunteer associations is this, that although the requisitions for meetings, and even the actual meetings, are often graced by high names, ultimately the *business* falls into the hands of a few individuals, who, however zealous they may be, find themselves eventually unable to carry the great plans they had in view into effect. The pecuniary means necessary for the realization of those plans are not to be obtained from such associations; and unless the requisite funds be furnished by the government, no alternative remains, except a general subscription by the people themselves. In the latter event, the people must be permitted to take the whole management of purchase and resale into their own hands--a mode of proceeding open, certainly, to many objections.

The creation of a body of substantial yeomanry necessarily implies the diffusion through the community of a constant stream of useful information upon all topics connected with their improvement in the cultivation of the soil, and with their civilization in every respect. Speeches of great eloquence, and replete with practical as well as theoretical doctrines, are frequently uttered at public meetings, and printed in the newspapers. The misfortune is, that in Ireland the newspaper is a luxury with which the great body of the people are unacquainted. Endowed, though they be, with intellect of the highest order, and vast as may be the crowds which assemble at the call of Father Mathew, or Mr. O'Connell, nevertheless, even those who can read are not in the habit of reading. The fact is, they have nothing to read. Books they cannot purchase; tracts do not reach them, as no machinery exists for the distribution of publications of that description.

That a very great proportion even of the adult population can read, we are much disposed to believe. The public schools, which have already existed for some years in Ireland, now begin to exhibit their results, in the great numbers of persons who may be seen on Sunday in the great aisles of the

Catholic chapels with prayer-books in their hands. We speak principally with reference to the south of Ireland; and from our own observation we can affirm, that out of a body of one thousand young men, at least four hundred are able to read the "Prayers for Mass." The books they very generally use are those which contain prints representing the different parts of the holy sacrifice, beneath which are short forms of suitable prayers, printed in small type.

This is a fact which ought to elicit attention from the government. Means should be adopted for the preparation of periodical journals of a character suitable to a people situated as the mass of our peasantry is at this moment. The price of those journals should not exceed a penny or three-half-pence each; they should be rendered acceptable by containing a miscellany of articles bearing upon national topics—for it is wonderful what charms the description of our ruined abbeys, churches, and various old edifices, possess for our people. Tradition connected with our ancient history, our bards, music, and early customs, have also great fascinations for our peasantry. With a fair proportion of matter of this description might be interwoven instruction of a practical and moral character. Reading societies, and itinerant lending libraries, should be formed, and small rewards should be given for the encouragement of cleanliness and comfort in the cottages of the lower orders. A few hundred pounds' worth of flower-seeds and plants, distributed annually amongst those cottagers who cannot afford to buy them, would be productive of a world of good. There is a spell in the rose that awakens the heart to a sense of enjoyment, which leads to other consequences intimately connected with the purity and tenderness of domestic manners.

Whatever tends to the instruction of the people, in their juvenile or adult stages, ought, we think, to form part of the duties of the Irish board of education. Ample means should be afforded to the board for that purpose. It ought, in fact, to follow its pupils from the rudiments of knowledge taught in its schools, through their occupations afterwards in life; we may say, in short, from the cradle to the grave.

Next in importance, perhaps, to the points on which we have touched, would be the formation of equitable institutions for the insurance of life and property, and the endowment of children. It is terrible to see the perils to which house-property, especially, is exposed in Ireland, without the least means of guarding against their occurrence or their conse-

**quences.** We could enumerate many country towns, containing a population each of more than five thousand, in which there are not ten houses insured, and in which no fire-engine is kept. As to the insurance of lives, or the endowment of families by means of insurances payable at certain ages, these are economical sources of wealth, we may say altogether unknown amongst the great majority of our community. The savings-banks are becoming highly popular amongst them. If due means were taken for connecting with these banks the other institutions we have just mentioned, we feel no doubt that very great benefit would be thereby conferred upon our people. They have implicit confidence in the savings-banks, and any institution set up in union with them, under the responsibility of the state, would most certainly be successful.

We have not yet become acquainted, as extensively as we should desire, with the operation of the loan banks, which have been established in several parts of Ireland. We have learned enough of them, however, to incline us to believe that they have become, in some cases at least, mere matters of private speculation, and that they charge an enormous interest. Few institutions could be more beneficial in Ireland at this moment than loan banks conducted upon fair and equitable principles. Might not such establishments be made appendages to the banks for savings?

As to the branches of local joint-stock banking companies, and of other companies which we forbear from naming; we must say, from all we have heard, that the terms upon which they afford accommodation to the people, are of a most grinding character. They are seldom satisfied with an amount of interest under twelve, or at least ten per cent., and then the borrower has to pay charges for commission, and other expenses, which press upon him most severely. Advantage, too, is taken of times of pressure, which the banker cannot, we fear, always justify in a moral point of view. We could wish therefore, that loan banks were generally diffused through Ireland, under the superintendance more or less of some authorised agency. The true nature of bank establishments, and the extent of power wielded by banks of issue, have not been yet sufficiently considered by the legislature. The permission allowed to private persons to create money for their own gain—to create it simply upon the credit of a charter, or of a mere nominal capital, is a mode of proceeding which ought to be contemplated by the public with the utmost jealousy. It furnishes temptations of the most irresistible character to

fraud and swindling of every kind; and when we observe that within these last forty years particularly, banking speculations have been entered into which have been attended with frightful consequences to the community, we must say that the Government is greatly to be blamed which suffers such open robbery to be perpetrated with impunity. The man who steals five pounds out of a letter is transported for life, while the individual, or the members of a company, who rob their depositors and the receivers of their notes, to the amount of thousands—nay, of hundreds of thousands—escape all penalty except the momentary stigma of bankruptcy. This is a state of things that ought not to be suffered to go on. It is not to be denied that the banking trade in Ireland has conferred benefits upon that country. But it has also worked injuriously in many cases to the interests of the farmers, who have been obliged by pressure of their landlords, in bad seasons, to avail themselves of the accommodation, such as it is, which the local banks afford.

It would be expedient, in our opinion, that the construction and repair of public roads should be removed altogether from the hands of the grand juries. Notwithstanding all the precautions that have been taken of late years by the legislature, with reference to the exercise of the power delegated to those institutions in this respect, it is certain that a great deal of "jobbing" still goes on with regard to presentments, and that very great delays in the repair of old roads still take place, very much to the annoyance, as we personally know, of travellers in Ireland. We would take the liberty to suggest, that all public works of whatever nature, in Ireland, should be committed to four provincial councils, composed of individuals elected for that purpose by the grand juries of each county. Each county jury might choose one or more of their own body, with this view, and the council should sit periodically in the principal town of each of the four provinces. It should be the duty of these councils to hear and examine the reports of the county surveyors, to receive and consider, and also to originate, presentments, not only for the construction and repair of public roads, but also for the erection of piers, the making of harbours, the improvement of fisheries, the formation of canals and railways, the navigation of lakes and rivers, the exploration of mines; and in short to attend to every matter bearing on the improvement of the country. The resolutions of these councils should be passed to the Board of Works, where they might undergo a thorough investigation, and if approved of

by the Board, the latter should be empowered to advance the funds necessary for giving effect to those resolutions. In certain cases, grants to a reasonable amount should be made; but in the great majority of cases, loans would be probably sufficient, upon the security of the works themselves, and the county-rates. Should the Board disallow the resolutions of any provincial council, an appeal should lie to the Lord-Lieutenant in council. Some such institution as this would relieve Parliament altogether from what may be called the private business of Ireland—a relief of which the legislature stands much in need, as its various occupations, public and private, have of late years swelled to such an enormous amount, that great numbers of private bills have been passed without anything like due consideration, and often have been postponed year after year to the great injury of the empire. The members of the economical councils which we have suggested, should undoubtedly be paid for their services. It is well-known that institutions of nearly a similar kind have been long established in the French departments. Of their great utility no doubt has ever been entertained.

There is another subject of vast importance to Ireland, which we now approach with a full sense of all the difficulties by which it is surrounded. During the course of an extensive tour through this country, we have had occasion to observe that a great number of the existing Catholic chapels may be said to be in a condition utterly disgraceful to any nation affecting to call itself civilized. In some parts of Kerry and Mayo, chapels of mud walls and thatched roofs, which freely admit the snow and the rain, are by no means uncommon spectacles. In other places, by means of the indefatigable exertions of the clergy, and the pious offerings of the poor people, houses of worship of a better order have been erected, built of limestone, and covered with slates. But the interiors of those edifices for the most part present a most unfurnished appearance. The inside of the roof is seldom plastered—the mud floors are wretched, presenting everywhere inequalities, and so damp, that it is astonishing how the poor who kneel upon them are ever free from rheumatism. Should the glass windows happen to be broken by the wind or by accident, they remain for years unrepaired. Above all, the sanctuary, though in general boarded, exhibits a most deplorable want of cleanliness, the sides of the altar, and even the very steps leading to it, being rendered filthy with dust and cobwebs. The utensils also, necessary for the due solemnization of the

holy service, are often of a very mean description; and the vestments of the clergy and the surplices of the attendants, when surplices they wear, which often is not the case, truly do require to be subjected to some system of reform.

These are all circumstances to be extremely lamented. But there is one other fact still more to be complained of, that the number and size of the chapels already existing, especially in the midland, southern, and south-western counties, are altogether inadequate to furnish the necessary accommodation to the crowds that repair to them on Sundays and the great holidays. We have seen many chapel-yards which during divine-service were as densely thronged as the chapels themselves, and this often occurs in those parishes or unions in which of necessity only one mass is celebrated on Sundays and days of obligation.

The returns presented to parliament by the Irish board of works, exhibit several cases in which advances to a limited amount have been made, to assist in the completion of Catholic churches and chapels. Now there is no good reason why this principle should not be extended. It being once admitted that such edifices are to be classed amongst the public works entitled to the consideration of the Board, we conceive it to be the duty of the Government to order inquiry to be made, and wherever it is found that there is not a sufficient number of chapels to meet the wants of the neighbourhood, the Board should be empowered, in concert with the bishop of the diocese, to direct proper houses of worship to be erected, upon a scale suitable to the locality. Wherever it may be practicable, loans or absolute grants of the requisite funds should be made, upon condition of certain proportions of the estimated expense being supplied by the parishioners. We should certainly offer no objection to the application of this rule to other religions, *mutatis mutandis*.

The circumstance has also often forced itself upon our notice, that the number of the clergy, especially in those unions or parishes in which the population is scattered over a large area, is altogether disproportioned to the necessities of the congregations. In such unions the chapels are frequently four or five Irish miles, or even more, distant from each other. Where there are three chapels and only two priests, of course one of the priests must celebrate mass in two chapels every Sunday and day of obligation. Having finished his duty in one chapel, he is obliged to mount his horse and ride as speedily as he can to another, through rain and storm, and often

may be seen ascending the altar booted and spurred, fatigued from fasting so long, and utterly incapable, from want of physical strength, of giving instructions to his flock after he has concluded the holy sacrifice.

We submit that this is a state of things to which a paternal government ought to devote its care. We give every credit to the legislature, as well as to the Irish government, for the attention which has been paid during these last fifteen or twenty years to the education of the rising generations. We must say, however, that the moral improvement of the adults has been entirely overlooked. The Protestant prelates of England have very vehemently contended that no literary education should be afforded to the people which is not based upon religion. To that general proposition we fully accede; and if they admit that it is a part of the duty of the state to supply the community with the means necessary for the purposes of literary education, they must further admit, that it is the duty of the state also to supply means, wherever those means may be wanting, for the advancement of the people in religion.

All the civil and military authorities of the kingdom have cheerfully and most laudably come forward, to assist Father Mathew in his truly apostolical progress through the country. The two houses of Parliament, the viceroy, ministers of state, individual peers and commoners of every party and religion, many magistrates, and, we believe, all the judges and assistant barristers, have borne testimony to the marvellous success of his labours. One of the great results of the temperate habits already acquired by the millions of our Catholic community, is the great increase that has taken place in their attendance at their respective chapels, and their participation of the Holy Sacrament. The actual number of the clergy, and of Catholic houses of worship, is not at all proportioned to the vast influx of the people who hasten to pour forth their thanksgivings at the altars of their ancient faith. Does it become the government then—is it consistent with common-sense or justice—that the Parliament, which approve, and, as far as in them lies, encourage this national movement towards one of the greatest of the virtues, should refuse to perform their part in confirming the community in the practice of the vows thus made in the face of the world, and hitherto observed with a determination which deserves the most unqualified applause?

It is high time for Parliament to understand, and to admit, that it can no longer, consistently with the duty which it owes

to the empire for whose interests it exists, stand aloof from the presence and the power of the Catholic religion. In Ireland, especially, it presents itself to the civil authorities in an attitude of supremacy, which forbids any further thought of resistance, and commands their homage. They should at once openly acknowledge the fact to which their vision bears testimony ; they should not hesitate to build new altars, in every part of the country in which the bishop may deem them necessary, and to facilitate, in every possible manner, a proportionate augmentation of the clergy. A few hundred thousand pounds expended on such purposes would, even in an economical point of view, be most judiciously applied, for they would render unnecessary the voting of millions hereafter, under the head of estimates for the maintenance of military and police forces in Ireland.

We studiously abstain from discussing any questions connected with the pecuniary support of the Catholic clergy in Ireland. We have inquired diligently into their views as to that most important subject, and we have found that a very decided jealousy does exist amongst a great majority, of the slightest approach upon the part of the state towards the relations which have so long subsisted between them and their flocks, with reference to this point. Some of the elder clergy have also expressed apprehensions, that a state provision, however administered, might tend to a relaxation of zeal amongst the junior members of the sacred order, or, at all events, generate suspicions to that effect, which it would be prudent to avoid. Others again say, that it would very much comport with the dignity of the Church, and the feelings of its ministers, if any means could be adopted for obtaining the requisite funds for their decent maintenance, without making periodical appeals to their congregation from the altar for that purpose ; and above all, without reading from that peculiarly sacred spot, lists of names of payers and non-payers,—lists which are undoubtedly calculated to give pain to all pious Catholics, who have not been accustomed from infancy to such exhibitions.

But whatever may be the sentiments of those who are more competent than we are to form a right judgment upon these delicate subjects, we conceive that no doubt will be entertained as to the expediency, or rather indeed the necessity, of having suitable residences for the clergy permanently attached to the churches and chapels in all those parishes where such essential accommodations are not at present to be found. We know of

several instances, indeed, in which the parish priests have settled dwelling-houses, built and furnished at their own expense, on their successors for ever. But we also know of instances in which, from intestacy, or other causes, the habitations which were the private property of the priest, have been claimed by his relatives, and that considerable inconvenience has been the result to the clergyman by whom he has been succeeded. In our opinion, it is the duty of the legislature to provide the clergy with decent residences, and also a portion of land sufficient to constitute a vegetable garden and pasture. These would be but small gifts to an order of men, who have done more for the preservation of this country than all the arms which have ever yet been wielded, and than all the laws that have been to this hour passed, with a view to secure its tranquillity.

It is scarcely necessary for us, who have already, upon more than one occasion, zealously pleaded in favour of the execution of the admirable plans projected by the commissioners for the formation of railways in Ireland, to enter into any further argument upon that important subject. The resistance given to the execution of those plans on the part of particular localities, which were not immediately comprehended in them, of individuals who were anxious to substitute for those great designs petty lines of their own, and of political partisans who wished to thwart the government in every measure which contemplated real benefit to Ireland, has now vanished into empty air. Even the celebrated "note," concerning which so much calumny was spoken and written, is consigned to oblivion, and all men begin to acknowledge, that the greatest boon which, in an economical point of view, the legislature could confer upon Ireland in her present circumstances, would be the immediate construction of the great trunk lines recommended by the commissioners.

Would that Drummond had been spared to have witnessed the meeting which lately assembled in Dublin, to urge the Legislature to give effect to his truly statesman-like labours upon this question. Never was a mind more determined than his to explore, through all their intricacies, the difficulties which before his time had checked the growing prosperity of Ireland. His ardent love for the country of his adoption soon enabled him to obtain a thorough knowledge of all the anomalies which retarded her progress, during a period when other countries, not half so favoured by nature, were rapidly outstripping her in all the paths of prosperity. Being possessed

of that knowledge, he applied all the instrumentality of his office, and all the powers of his vigorous intellect, to the formation, and, as far as he could, to the immediate realization, of such measures as he deemed best calculated to compensate Ireland for the long ages of barbarous rule to which she had been subjected. The railway he believed to be the most potent agent he could employ for the purposes he had in view, and there can be no doubt that it was in preparing that mighty work his health suffered injuries which no medicine could repair. No record can tell the loss which Ireland has sustained by the premature fall of such a man.

Next, if not almost equal, in importance to the establishment of the designed railways in Ireland, would be the construction of good roads through all those mountainous and other tracts of territory, which are at present without these most necessary auxiliaries to civilization. The new lines made during the administration of Lord Anglesea, have already produced benefits to an amount difficult to be calculated. By shortening the distances between villages and market-towns, those roads have wonderfully increased the intercourse between many localities ; and besides this great improvement, they have opened up for cultivation, and rendered amenable to the law, many districts which had previously been inaccessible to both. We trust, therefore, that any measures which may be brought before parliament for giving effect to the report of the railway commissioners, will also give ample power for the extension of all practicable lines of communication, whether by tram-roads or those made in the ordinary manner. It would be a great satisfaction to Lord Anglesea, if he could learn how often his name is mentioned in the south of Ireland, in connexion with one of the greatest blessings ever bestowed upon it by occupants of the Castle.

A subject has lately engaged very general attention in Ireland, which it would be impossible for us to pass over. We allude to the establishment, or rather re-establishment, of manufactures in this country. Men's minds are by no means agreed upon the expediency of diverting any portion of whatever capital we may possess, from the cultivation of our "green acres", to channels of employment in which England, it is said, on one hand, has already obtained so complete an ascendancy as to render rivalry with her upon our part a mere vision. By way of answering this allegation, it is suggested on the other, that Ireland might and ought to resolve not to purchase any manufactured article which is not made at home ; and

there can be no doubt that if a determination to this effect were generally agreed to, and could be acted upon, manufactures of every kind would speedily be seen springing up throughout the country.

For our part, we must confess that we have no great faith in the resolutions of public meetings upon a subject of this nature. Patriotism is a very excellent virtue, but to assume that any considerable class of men will voluntarily purchase pieces of woollen or calico cloth in one shop at a comparatively high price, when they can obtain articles of an equally good description next door upon cheaper terms, is perfectly chimerical. It is indeed affirmed that the woollens of Ireland are, generally speaking, of a more substantial description than those imported from Manchester, and sold somewhat lower than our native produce. This we believe to be the fact. *Valeat quantum.* On the other hand, the Irish article is of a coarser texture than the English, and the question then will resolve itself into a matter of taste amongst all those who aspire to be clothed in a material above the rank of frieze.

In the present state of things, when steam-power places Manchester almost as near to the interior of Ireland as Dublin, and to the southern and south-western extremities nearer than Belfast, it is idle to talk of excluding English manufactures from Ireland. Any rules attempted to be laid down for any such purpose, would be so easily evaded, and there would be so many temptations to evasion upon the part of the wholesale as well as the retail shopkeepers, that it would be to expose capital to great losses, and eventual ruin, to enter at *this moment* upon new manufacturing experiments in Ireland—at least to any considerable extent.

But, although such may be our impressions for the present, we, nevertheless, have experienced great satisfaction in seeing the attention of the country attracted to this subject, because we are of opinion that, although the sanguine views of many persons with respect to it may not be reducible to practice to-day or to-morrow, the period is not remote to which we may look for Ireland becoming a considerable manufacturing country.

There are persons who suppose that manufactures would be altogether a novelty in Ireland. No such thing. Mr. Inglis, in his well-known tour, about seven years ago, speaks of a very prosperous cotton factory, situated at Mayfield, near Waterford :

"I found here," he says, "no fewer than 900 persons employed, of

whom a large number were, of course, young persons; the wages of the boys and girls were from 2s. 6d. to 7s. per week; the up-grown persons worked at task-work, and might easily earn 1*l.* The most marked improvement has taken place in the neighbourhood since the establishment of this manufactory; not in the lodging only, but in the food also a great change has taken place; and although high wages, which leave a surplus, are some incentive to intoxication, it is a fact that not an hour's labour is ever lost in the factory by reason of dissipated habits on the part of those employed in it.

"The calico manufactured here finds an advantageous market not only in Ireland, but in England also, and is able to compete with the fabrics in Manchester. It has been commonly said that Irish manufacturers cannot compete with those of Britain; but this establishment at Mayfield *does* compete successfully; and with sufficiency of capital, and an equally favourable situation, one would imagine that any other might be equally prosperous. The expense of erection is less than in England; labour is cheaper; and where there is navigation the difference in the expense of conveyance to market is but a small item."

The number of persons employed in the manufacture of linen, at Westport, when the same writer visited that place, amounted, according to the information which he received, to 30,000 persons. We have reason to believe, that since that period, the number here stated has rather increased than otherwise. The linen, diaper, muslin and calico factories in and near Belfast, are also, as everybody knows, numerous and successful. It is the peculiar feature of the linen manufacture, that a great portion of the process can be carried on by the persons engaged in it, jointly with agricultural occupations. The cabinets manufactured in and near Dublin, are celebrated for their texture and beauty, and the woollen cloths also made in the vicinity of our metropolis, have obtained a high reputation for their durable qualities.

It is a fact, attested by history, that at one period, at all events, this was a manufacturing country. The Act which recognizes the title of king James, acknowledges that "many blessings and benefits had, within these few years past, been poured upon this realm;" and, at the end of the Parliament in 1615, the Commons returned thanks for the extraordinary pains taken for the good of this republic; whereby, they say, "we, all of us, sit under our own vines, and the whole realm reap the happy fruits of peace!" Davis, who had served under that sovereign in eminent stations, and had personally visited a considerable portion of the country, bears ample testimony to the prosperity of that period, and observes that this was effected "by the encouragement given to the maritime

towns and cities, as well to increase the trade of merchandize, as to cherish mechanical arts." He adds, in his quaint but cordial manner, on the consequence of this happy state of things, "that the strings of the Irish harp were all in tune."

In the succeeding reign, for fourteen or fifteen years at least, the commercial prosperity of Ireland went on increasing. Leland assures us,\* that in 1639, the commodities exported were twice as much in value as the foreign merchandize imported: and, that during the period above-mentioned, our shipping had been augmented a hundred-fold. A decisive test of the progress of our mercantile trade at that time, is, that the customs which had been farmed at the beginning of that reign at the miserable sum of £500 yearly, were relet, during the progress of it, at no less a sum than £54,000. The speaker, in his speech of 1639, declares, after enumerating the many blessings which the country then enjoyed, that "our in-gates and out-gates do stand open for trade and commerce."† A little of this high-flown language may, perhaps, be ascribed to the taste for adulation which then prevailed; but, at a subsequent period, when the legislative style tended rather in a contrary direction, the Commons fully admitted, that when Earl Strafford obtained the government, Ireland "was in a flourishing, wealthy, and happy state."‡

This course of things was unfortunately interrupted by the civil war of 1641; and soon after that period, England became so jealous of the reviving manufactures of this country, that a career, not merely of discouragement, but of actual hostility towards them, was commenced by the English government and legislature, and pursued with the most persevering tenacity. During the latter part of the troubled reign of William III, the woollen manufacture was in fact our staple trade, and wool our principal material, the linen trade not having been by that time thoroughly established. In the preamble to the 10th and 11th of William III, c. 10, it is recited, that great quantities of the woollen manufactures were then made, and daily increasing in Ireland, and were exported from thence to foreign markets. In an address from the English house of Lords to the king, (9th June, 1698), it is stated, as matter of very grave complaint, that "the growing manufacture of cloth in Ireland, both by the cheapness of all sorts of necessaries for life, and *goodness of materials for making all manner of*

\* Hist. of Ireland, vol. iii. p. 41.

† Ir. Com. Journ. vol. i. pp. 228-9.

‡ Ir. Com. Journ. vol. i. 280-311.

*cloth*, doth invite your subjects of England, with their families and servants, to leave their habitations to settle there, to the increase of the woollen manufacture in Ireland, which makes your loyal subjects in this kingdom very apprehensive, that the further growth of it may greatly prejudice the said manufacture here." Their lordships then beseech his Majesty, to tell his Irish subjects, that as to the linen manufacture, they should be quite at liberty to improve and extend it as much as they liked, but that "the growth and increase of the *woollen* manufacture hath long been, and will ever be, looked upon with jealousy, by all your subjects of this kingdom; and if not timely remedied, may occasion very strict laws, totally to prohibit and suppress the same." The address of the English House of Commons, (30th June, 1698), is a complete echo of that of the Lords. His Majesty's answer, though laconic, was abundantly expressive of his resolution upon the subject:—"I shall do all that in me lies to discourage the woollen trade in Ireland, and encourage the linen manufacture there; and to promote the trade of England." The result of these proceedings soon shewed itself in the transmission of a Bill from England, which, to the indelible disgrace of the Irish legislature, was passed here by a large majority, imposing an additional duty of 4*s.* for every 20*s.* in value of broad-cloth exported out of Ireland, and 2*s.* on every 20*s.* in value of new drapery, friezes only excepted. In the manufacture of the latter, Ireland had long been, and still continues to be, distinguished. She had been in possession of it before the reign of Edward III. But the infamous subserviency of the Irish parliament did not, it seems, go far enough. The English parliament actually prohibited, from the 20th of June 1699, the exportation from Ireland of all goods made, or even mixed with wool, except to England and Wales, and with the license of the commissioners of the revenue; duties, in fact, having been already laid on the importation into England, equal to a prohibition. The Act, consequently, operated as a total prohibition of the exportation. Even before these disgraceful statutes were enacted, we were not allowed to export our woollen manufactures to the English colonies, or to import dye stuffs direct from those colonies. Upon this system of policy, we need offer no commentary. The most scandalous part of the whole proceeding is this, that no proof was ever even offered in either Parliament, of the truth of the allegations upon which these laws were framed, namely, that our woollen trade had ever, in any market at home or abroad,

supplanted or injured the woollen trade of England. The whole of these measures arose from mere sordid jealousies, entertained on the part of the English wholesale and retail shopkeepers! A ludicrous instance of the prevalence of a kindred spirit amongst a different class in England, appears on the face of two petitions preferred to the English house of Commons, in 1698, from Folkstone and Aldborough, setting forth, as a great grievance, that “by the Irish catching herrings at *Waterford* and *Wexford*, and sending them to the streights, they thereby forestalled and ruined petitioners’ markets.” So that, if the petitioners were to have their way, we should not have been permitted even to catch our own herrings.

It is not necessary for us to press this topic further. We have said enough to shew that Ireland was, at one period of her history, a very considerable general manufacturing country—so much so as to excite extreme jealousy on the part of England; and that her progress in the accumulation of capital from that productive source, was intercepted only by positive law; and the only reason which can now be shewn for the absence of such general manufactures from this country, is the want of the necessary capital. Had we been allowed to pursue the career we had got into in the time of Davis, we should have been at this day, in all probability, upon an equal footing with England, with reference to all the principal manufactures for which she is now distinguished. But we have been stopped in that career—stopped by legislative hostility of the most violent and wanton character.

We have, however, a manly Irish phrase, which Englished says, “never mind.” The capital we want at this moment to enable us to compete with Britain, at least in the woollen and cotton trade, is in process of rapid growth. We have before us the savings-banks returns for one small town in the interior of the south of Ireland, for the years 1836, 7, 8, and 9, which shew, that in the year ending 20th November, 1835, the fund accumulated amounted to 11,504*l.* This fund was increased in 1836, to 12,800*l.*; in 1837, to 14,977*l.*; and in 1838, to 18,476*l.*; shewing a very decided increase of savings amongst, as the details shew, a great majority of small holders, whose deposits range between 20*l.* and 100*l.* This statement for one town, whose population does not exceed 10,000, may be taken as an index of what is going on pretty generally through the south of Ireland. In the north, we understand,

the gradual saving of capital exhibits still more satisfactory tokens of prosperity.

We are indebted to Mr. Mahony for the perusal of a report which he drew up in May 1839, at the request of the late Mr. Drummond, and which speaks a volume—a highly satisfactory one—upon this subject. The evidence furnished to several committees of both houses of Parliament by this gentleman upon the affairs of Ireland, from the year 1824 down to 1837, shews that he is thoroughly conversant with all the great movements of capital through that country. In his brief, but pithy statement, he says, that before 1824 no great undertaking was attempted in Ireland, particularly by English capitalists. Since that period, however, have been established here the “United General Gas Company,” with a capital of 800,000*l.*, by which Dublin, Cork, Limerick, and some other places, are lighted; similar companies for lighting Waterford, Clonmel, and Drogheda, whose united capitals are about 100,000*l.*; the Limerick Water Works Company, 50,000*l.*; the City of Dublin Steam Packet Company, whose original capital (in 1824) amounted only to 24,000*l.* It was not long after raised to 650,000*l.*, all paid up, and within the last three years were added to it 300,000*l.* to build additional vessels for the Channel trade, and 500,000*l.* for the Transatlantic, besides 300,000*l.* for the trade between Dublin and London only.

“This Company,” Mr. Mahony states, “is essentially Irish; and out of fifteen hundred proprietors, I do not believe that we have *fifty out of trade or residing out of Ireland*. The Directors are only five, and the head of the establishment is Mr. Charles Wye Williams, whose talents and energy have raised this Company from 24,000*l.* of capital to the enormous sum of 1,750,000*l.* dedicated to supplying steam-vessels and canal boats only for Irish purposes; and by his successful management, a large reserved fund has been established, while a regular dividend of 6 per cent. is paid to the shareholders.”

Next in order comes the Provincial Bank of Ireland, which, we need hardly observe, has been attended with an extraordinary degree of success. It commenced in June 1824; the head office is in London, and it has now about forty branches spread throughout this country. The capital is 2,000,000*l.*, of which 500,000*l.* was paid up in 1825. The company, after paying all the expenses of outfit, have given their proprietors a bonus of 40,000*l.* in their own stock, equal to 80,000*l.* in money, and they now pay 8*l.* per cent. dividend on 540,000*l.* capital. They lately distributed another bonus to the amount

of 21,600*l.*, and their then remaining undivided profits amounted to 106,000*l.*

Mr. Mahony states the capital of the Dublin and Kings-town Railway Company to be 200,000*l.*, all, we believe, now paid up. The proprietors, with two or three exceptions, are Irish, and in number do not exceed 138. The capital of the Dublin and Drogheda Railway Company amounts to 600,000*l.*; that of the Ulster Canal Company to 200,000*l.* With respect to the latter it is but justice to add, that the canal—a most important work—was opened from Lough Neagh to Monaghan in 1839, and we believe that it has been since extended as far as Clones. Mr. Mahony mentions other companies, and details some loan transactions, in which, as solicitor, he has been engaged, which shew that, under his management alone, between 1824 and 1839, operations have taken place to an amount exceeding “four millions and a half paid capital, with three millions and a half subscribed, and ready for employment when called for.”

Exclusive of these sums, there are amounts of capital paid up, or ready to be paid up, by other companies, such as the National Bank of Ireland, the Northern Banking Company, mining and steam-boat companies, &c., all established since 1824, giving a result of nearly 9,000,000*l.*; which, added to the operations already mentioned, exhibit a total of about 18,000,000*l.* The dividends paid by these various companies shew that, in general, their undertakings have been remarkably successful.

We learn from the same source another highly important fact, viz. that whereas funded debt upon which interest was paid in Ireland in 1817, amounted only to about 18,000,000*l.*, in 1839 it amounted to 83,774,912*l.* Ireland therefore imported from the English Stock Exchange a sum exceeding 15,000,000*l.*, and paid for it by capital created here within that period. Mr. Mahony adds, “that between 1817 and 1838, the *gains* accumulated in Ireland, through the instrumentality of the savings-banks, amounted to 2,048,338*l.* It would be no exaggeration, we think, to set down these acquisitions now at an amount exceeding 3,000,000*l.*, taking into the calculation the hundreds of thousands that must have been already saved through the effect of the temperance pledge alone.

Mr. Mahony specifies a variety of facts, which clearly establish the constantly increasing value of landed estates in this country. He further adds:—

“In the counties of Down and Armagh, the market-rate last year

and now, is not less than thirty years on the improved rental ; sometimes thirty-five years' purchase is given. About the town of Drogheda, and in the county of Wicklow, the rate is thirty years. Building ground, let a few years ago at farm-rent, near Drogheda, at only 1*l.* an acre, has lately been let by public auction in that town at 35*l.* per acre per annum ; and a piece of land adjoining that town (twenty acres), let five years ago for 25*l.* a-year, is now letting for 5*s.* per foot annually, on the frontage, and running backwards 300 feet. In Drogheda alone, within ten years, capital to the amount of 500,000*l.* has been expended in shipping and factories, the whole of it belonging to Drogheda merchants and tradesmen. But the most singular fact I can state is, that six years ago a nobleman's agents sold an estate in the county of Wexford for 179,000*l.* : under my advice the contract was rescinded, and after reserving 500*l.* a-year of that rental, I have received for the same estate within the last year no less than 255,000*l.*, and the whole of that money (except about 10,000*l.*) was paid out of profits on trade conducted in the city of Dublin—the chief purchasers being—Mr. Guinness, the brewer, a Protestant ; Messrs. Thunder, ditto, Catholics ; Mr. Power, distiller, ditto ; Mr. Bryan, Ironmonger, Protestant ; Messrs. Boyce, grocers, ditto ; Mr. Whitcraft, pawnbroker, ditto."

We have descended to these details in order to establish, beyond all doubt, the fact, that Ireland is collecting capital, which must, sooner or later, seek profitable investment in manufactures. The quantity of water power which we possess, the cheapness of labour as compared with its price in England, and the facilities that will probably in a few years exist, for the exportation of the produce of the loom to all parts of the world, from the mill itself, must moreover attract to this country English capital, in addition to our own, for the purpose of being employed in the same manner. We have hands enough for the cultivation of all the mechanical arts, without injury to our agriculture.

With respect to our political wants, the first, in point of importance, at the present moment, is an extension of the franchise. It is manifest, from the voluminous statements which have been lately placed before the public, that the numbers who have been polled at keenly contested elections, fall far short of the just proportion which, according to the spirit of the constitution, Ireland ought to possess. Lord Morpeth's new bill, which has been hailed with just approbation throughout Ireland, would materially amend the existing state of things in this respect. But we must complain, that amongst the people generally in this country, there prevails great apathy in securing and exercising their political rights.

It is with very great difficulty they are induced to attend the registration courts. Even under the system now in force, the ranks of the constituency might be much augmented, if the persons entitled to the franchise would only take the trouble to have their names enrolled. No appeals can make them generally understand, that it is upon their votes the fate of their country mainly depends; many even of those who do comprehend all the importance of the franchise to the preservation of their liberties, look upon it with the most lamentable negligence.

We think also that Ireland is not sufficiently represented in parliament, whether we regard the amount of our national property or population. The doctrine of the constitution, if it were allowed to prevail, would entitle us to have at least one hundred members in addition to our present proportion. This is an object which we must obtain; and obtain it we shall in a few years, if we only seek it firmly, according to the mode which the constitution points out.

We have infinite reason to be grateful to Providence for all the blessings we have for some years now enjoyed, through the agency of a just and really paternal system of government. In Lord Normanby and Mr. Drummond we found two men, who felt no hesitation in breaking down every obstacle, in whatever quarter they encountered it, which stood in the way of any of the rights appertaining constitutionally to the Irish people. In their straightforward and manly course they met with violent opposition: but they beat it down, and have left the channels of administration so clear for all their successors, that those successors, to whatever party they may belong, can hardly deviate into error, even if they should have the disposition so to do. It was particularly fortunate that Lord Ebring-ton should have been selected to follow Lord Normanby. Circumstances not to be controlled compelled the latter to defy the hostility of the faction which had so long appropriated to itself the rule of this country. Wounds were thus, of necessity, inflicted upon the feelings of individuals, many of whom were certainly persons of great respectability and influence, and whose assistance in their respective districts it would have been desirable for the government to have possessed. The personal character of Lord Ebring-ton is peculiarly fitted to heal those wounds, and to conciliate those former opponents of a liberal system of administration. We do not detract from the reputation that belongs to the successful warrior who has triumphed by the force of arms, when we estimate also with due admi-

ration the acts of the statesman who seeks by a mild and considerate sway to reconcile the conquered to the new order of things, to confirm the attachment to the state of the great party through whose aid the conquest was made, and to blot from the history of both those painful recollections which had so long divided them from each other. The latter is the mission of the nobleman who now represents the crown amongst us, and his acts hitherto have proved how capable he is of fulfilling the functions assigned to his care. As to Lord Morpeth; he has shown that he is equally fitted for peace or war: he can command, when the occasion requires it, the *fortiter in re*, as well as the *suaviter in modo*. In Mr. Norman Macdonald he has an able auxiliary, well suited also to the circumstances in which he is placed.

Ireland certainly never, at any period of her annals, exhibited such a universal picture of tranquillity as she does at this moment. It is a peace too beneath which there is no volcano; so far as her political prospects are concerned. Agrarian wrongs—outrages by individual proprietors against the poorer occupants of the soil, have, as we already intimated, produced a great mass of resentment against their oppressors. Nor is it to be doubted that Lord Stanley's open war against our freedom, and the harangues of his associates, have rekindled many of the old prejudices which alienated the Irish from the English people. But making due abatement for the operation of these two evil influences, still we assert that more perfect tranquillity never prevailed in Ireland than that which we witness at this moment.

Undoubtedly, much of this happy change from the riotous habits of days not long gone by, is to be attributed, under Providence, to the marvellous abolition, as we may truly call it, of the vice of intoxication amongst our people. The spectacle of a drunken man, in places where even very lately no assemblage was held without giving rise to fierce contests and murders, is now a rarity seldom to be discovered. Crowded fairs and markets occur, day after day, and week after week, without producing even a single case of common assault. The gaiety of the olden times is fast returning to our weddings and our christenings. Our hurling matches go off without a blow struck in anger. Our wakes too—often the scenes of terrible crimes, are conducted with their ancient *pleasantry*! Let not the English reader be shocked at the word. The smile is often very near the tear on the fair faces of our country-women, and more matches originate in the fields and gardens

near which a wake is held, than in the cottage where the merry dance is kept up until sunrise. In short, to borrow again the illustration we have already quoted, the strings of the Irish harp so long broken—

“The harp that once through Tara’s Halls  
The soul of music shed—”

are again restored, and if not yet quite “in tune,” give out under a master-hand the sounds that promise perfect harmony.

The task of our local government is one of comparative ease to what it used to be. The military and the police are upon the best terms with the people. Indeed, a red-coat is seldom to be seen at all, and the police appear, in many places which we have visited, almost superfluous. They would be entirely so, if the suggestions which we have presumed to offer, as to the organization of the population, were to be carried into effect.

Other highly interesting circumstances besides those we have already mentioned, have recently occurred, which open to us the most cheering prospects of the future destinies of our country. Mr. O’Connell’s appearance for the first time in Ulster, occasioned a display of numbers attached to our national liberties, upon which we had not heretofore calculated. We beg it to be most clearly understood, that we do not, in using the word “liberties,” wish to commit ourselves, as to any peculiar questions or topics touched upon at those meetings. We rather allude to the general tone of freedom which prevailed amongst them, and which was also rendered so strikingly manifest in the resolutions of the Ulster association. We do not desire to enter here into any of the points controverted between Mr. Sharnian Crawford and Mr. O’Connell. We may say, however, without the least hesitation, that we have been delighted by the fine, uncompromising, ardent tone of patriotism which has thus been sounded in that province, so long the source of those wicked principles of tyranny by which our native liberties were too successfully opposed. The four provinces are now, we may affirm, of one mind, with respect to the great interests of Ireland. Let parliamentary parties therefore contend as they may, we feel satisfied, that whoever holds the reins of government, there is but one course for him to pursue in this country. No cabinet can long exist, which could not be consistently represented by such a man as Lord Ebrington. The ascendancy, for any time, of the Orange faction, or of any administration at the

Castle which is not sincerely friendly to Ireland, has become henceforth a moral impossibility.

The experiment of the Poor Law system in Ireland, has not yet made sufficient progress to enable us to offer any observations on that important subject.

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ART. VII.—*Scotland and the Scotch.* By Miss Catherine Sinclair. 1840.

HAVING read "England and the English," as also "Austria and the Austrians," we were pleased on seeing a work put forth under the attractive title of "Scotland and the Scotch," and hastened to scan the merits of the chivalrous spirit who thus seemed to court a rivalry with Bulwer and Trollope. We opened the volume, confidently anticipating that it would afford us much interesting matter touching the people and "the land of the mountain and the flood;" our expectations had been indeed raised in no ordinary degree by the title, and were much increased on our reading the encomiums upon other literary labours of the fair authoress, extracted from various public prints, and appended to the present production. We commenced the perusal of it with no small enthusiasm, and with the most kindly feelings towards her, which, she may rest assured, were not diminished by her earnest profession in the conclusion of her preface, of her wishes that the pen might fall from her hand before she wrote "a page not devoted to strict propriety, or which can injure either the dead or the living." But scarcely had we got through a dozen pages ere our hopes were doomed to disappointment, and we were startled to discover how soon our fair authoress had forgotten the rule which she had laid down for herself. As we advanced, it became evident, that in some instances she seems to have neglected Bulwer's excellent observations:—"That one of the sublimest things in the world is plain truth;" and that when the world has once got hold of (we will not use his word, "a lie," but) a misrepresentation, it is astonishing how hard it is to get it out of the world again.

Her lack of knowledge of Scottish localities, and of accuracy in the details relating to them, surprised us. She exhibits frequently a most extraordinary deficiency of common information on common subjects. Indeed, many of the

blunders committed by her are inexcusable, particularly when we consider that she is a Scotswoman writing of "Scotland and the Scotch." It is superfluous to add that the stranger who wishes to form an acquaintance with the Lowland and the Highland Scotch in their different characteristics, habits, manners, genius, and feelings, will be grievously disappointed if he seek an introduction through the medium of this volume. But this is not all; the worst feature is yet to come. No tone of liberality pervades the work, such as would recommend it to the heart of the patriot and the philanthropist; but, on the contrary, narrow-minded prejudices and bitter anti-Catholic feelings are everywhere displayed. A horror of Popery, and a dread of its rapid increase, appear to have haunted the imagination of the writer, and of course have produced their almost invariable results.

In page 13, we find an insinuation injurious to the "dead," or, to say the least of it, a rather uncharitable allegation against the gallant Charles Edward. In quoting some lines said by her to have been written by that prince when in concealment in the island of Bute, she remarks: "How much these lines might have gained in interest, if the royal fugitive had only added any allusion to his being a Christian."—Why doubt it? Is it necessary that every person who scribbles a few lines should add a profession of his Christianity? but then he was a Catholic, and that seems to her quite a sufficient reason for such an unwarrantable attack upon his memory. What are the facts? Prince Charles was never in the Isle of Bute!! The plain unvarnished truth of the matter is merely this:—a Dowager-Marchioness of Bute was much afflicted with asthma, and after having tried Italy, Devonshire and Madeira, in vain, for the recovery of her health, considered her case hopeless, and went to reside at the family place, Mount Stewart in Bute, where, to her agreeable surprise, she was soon completely restored. When the Castle (Mount Stewart) was repaired some thirty or forty years ago, the lines above alluded to were placed on the walls, in commemoration of her recovery, but without any allusion to her being a "Christian," or any expressions of thanks to Providence for such a mercy.

Neither doth our authoress overflow with the milk of human kindness towards the "living," when, with the political economy of a housemaid, she would deny the lower orders the use of tea, snuff, and tobacco—"these three ruinous luxuries of the poor," as she is pleased to term them.

Is it just to praise the dead at the expense of the living, by disparaging their motives, and misrepresenting their conduct? She gravely announces that the late Chisholm of Chisholm, (who unquestionably was much respected for his estimable private character) in his pious zeal, built a church!! but to what purpose was it applied? She herself very good-naturedly and very truly informs us, viz. that the Editor of the *Inverness Herald* (a violent political partisan) there preached politics or political sermons; and then she boldly asserts, that *Lord Lovat built an opposition Catholic chapel* on the opposite side of the river. But the very reverse happens to be the fact. The chapel built by Lord Lovat was erected eight or ten years at least previous to the one built by the Chisholm, and for what purpose? To accommodate a most respectable Catholic congregation of seven or eight hundred souls, many of whom, owing to the anti-Catholic feeling of a certain deceased proprietor, had been turned out of lands held for generations by their forefathers, and were on the eve of abandoning their loved native glens and mountains for the wilds of America, when Lord Lovat, with true patriotic feeling, took many of them under his protection, and gave them lands on his extensive property. She says that the priests rejoice at "the Chisholm's" decease. On what authority does she make this assertion?—what had they to gain or lose by the Chisholm, whether alive or dead?—*did* the *opposition* church which he built draw off the people from attending the Catholic chapel? No, no; on the contrary, many returned to the ancient faith, and others have sent their children to the excellent Catholic school there established.

As the Catholic Church is the object of her detestation, so, of course, she travels out of her way to discharge the overflowings of her pious spleen against its various institutions. In visiting the magnificent Highland lake, Loch-Awe, surrounded with stupendous scenery, bearing on its dark bosom groups of verdant isles, she is wafted to the fair Inishiel (or, as the name denotes, the Beautiful Isle); there, on viewing the venerable remains of an ancient nunnery, she breaks out, with all the ardour and ignorance of a boarding-school lassie, into the usual common-place execrations against monastic establishments, and takes a fling at the lazy monks. Had she made a historical enquiry, she would have found that the ruins she contemplated were those of an institution not for lazy monks, but for a sisterhood of devout women of the Cistercian order. Although eloquent in her abuse of religious

establishments, she is silent regarding the savage barbarity which drove these sainted recluses from their lonely and peaceful domicile.

Even Catholic practices of heavenly charity, and the most benevolent institutions, cannot escape the virulent remarks and bitter animosity of our fair presbyterian. She is pleased to assert that “the effect of superstition is more obvious on the purses of its votaries (viz. the Catholics), than those of a purer and holier faith. The presumptuous hope of purchasing heaven by their own merits, has caused the Catholic Church and their charitable institutions to be richly endowed; and individuals of that persuasion, whatever be their motives, devote themselves more avowedly and exclusively (to charitable purposes), than the generality of Protestants.” This last sentence is certainly most true, and a very pretty compliment; but it does not counteract the venom of the uncharitable and impious insinuation contained in the first part of the paragraph.

In attributing superstition to the Catholics, she seems to forget, as has been well observed, that superstition is a word of great latitude. Every person is apt to call that superstition in another, which he himself disapproves of or is not disposed to follow. Festus deemed the Jewish law superstition, though given by God himself; and put the doctrine of our Lord Jesus upon the same footing, because *he was ignorant of it*. For the same reason, many term superstition not only the practices of piety used in the Catholic Church—but also the austerities approved of and recommended in the Gospel, when found in monasteries. Is it charitable of her to attribute to the Catholics that they believe or entertain such monstrous doctrines, as “that they can purchase heaven by their own merits”? Does she not recollect that “charity covereth a multitude of sins”? Is it not the paramount duty of every Christian to serve and honour our blessed Redeemer, by complying with the declaration,—“What you do to the poor is done to me—that a cup of cold water given in my name shall not go without its reward.” Hence she need be at no loss to discover the motives which induce Catholics to establish so many institutions consecrated to the succour of the poor and the service of the sick. Are the sisters of charity, so much esteemed over all Europe and America, established in vain, or for superstitious purposes? She would find, that those now settled in the capital of Caledonia, will be found ready and willing to attend the sick-bed of the poor in a garret, or

those of the sick in a palace, if called upon, without distinction of sect or creed. While on this topic, may we be permitted to ask our fair presbyterian whether she can point out any more pure, exalted, and unquestionable evidence of active faith in the followers of the Kirk, than the sacrifice made by a delicate sex, of youth, beauty, high birth, to solace in the hospital that collection of human miseries, the sight of which is so humiliating to our pride, and so disgusting to even the strong nerves of man? Would she not also do well to recollect, that if the tide of zeal in earlier times ran upon building religious houses, it now runs upon supporting bible societies—increasing “Church accommodation”—and sending out missionaries and their families to reclaim the heathen and the papist?

A few examples will be sufficient to illustrate our fair authoress's great inaccuracy in the description of Scottish localities, and in her genealogical lore and information. Let us take one district, the Aird.

In proceeding up this vale from Inverness towards Strathglass, she mentions the “Falls of the Beauley”!! Now we much doubt if it would not puzzle a tourist in search of the picturesque, to find out any Falls specified by that name. Proceeding further, she describes Erchless Castle as being in Strathglass, and then carries us on to the entrance of a wild glen, which she declares ends in nothing! The Falls of Kilmorack she denominates the Falls of Beauley, and removes the former to a locality where they are not to be found.

She notices the island of Eilan Aegas, not for the charms of its scenery, but apparently to have a hit at Lord Lovat, the proprietor, who, being a Catholic, comes under her censorship; hence she must needs give vent to a sneer at his expense. In alluding to two gentlemen who reside upon the romantic isle—and who, she informs her readers, are said to be descendants of the royal house of Stewart—she seems to take upon herself to make a most gratuitous assertion: “that the family of Lovat, unable to bestow upon them the whole island of Great Britain, according to their inclinations, had succeeded in presenting them with a little one.” If this is her wit, we wish her joy of such a smart piece of impertinence. If not, is it not a libel on their loyalty? It appears to us the most unwarrantable piece of presumption for any individual to assume, and still worse to publish as facts what they may choose to imagine to be another person's inclinations, and to father opinions upon them, without having any shadow of foundation for such conclusion.

In retracing the steps of our authoress towards Inverness, we find that she cannot pass Lord Lovat's gate without having another sneer at his Catholic lordship. "We were at a loss to guess," says she, "why his (Lord Lovat's) cottage-looking house was ever dignified with the name of Beaufort Castle, not being more like our notion of a castle than a pistol is to a cannon." What a bright idea!—what ignorance of the local history of her country is here displayed! Had she referred to the interesting historical memoirs of the famed 1745, she would have found that Beaufort Castle was erected on the site of a former fortress, after the powerful family of the Frasers came to the North, about the year 1296; and that it was plundered, burned, and blown-up by the royal forces, under the orders of the Duke of Cumberland, after the battle of Culloden, in 1746. So totally destroyed was it, that when the government took possession of the estates, and appointed a manager, or factor, they were obliged to erect a house for his accommodation, which afterwards being found too small, other additions continued from time to time to be made. After this, we need be at no loss to guess, or rather to account, for its cottage-like appearance, as she terms it; and we may inform her, if it would afford her any satisfaction, that on inquiry we find that the evil she complains of is about to be remedied; that designs of a splendid baronial residence, worthy of an ancient noble family, and the superb site and domain, are already in preparation. Her genealogical incorrectness with regard to his lordship's lineage, is less excusable. Had she consulted any work on the peerage, she would not have stated that the present Lord Lovat is descended from Simon, who was beheaded; she would have found that he is a main collateral branch (the house of Strichen), lineally descended from Alexander, sixth Lord Lovat, and which branch was never affected by any attainder. But we are at a loss to guess what motive could have induced her to drag any individual, much less so unobtrusive a nobleman as Lord Lovat, before the public, and, with uncalled-for liberty, publish to the world her own suppositions as to his motives and opinions, whether in regard to building a chapel, choice of friends, or any other object. Could it be her anti-Catholic prejudices, or that his lordship's political principles do not accord with her own? Be that as it may, we must assert, that the inaccuracies, errors, and omissions, such as we have detected in one particular district, must shake our faith with regard to the correctness of her accounts of other parts of Scotland in general.

After a careful perusal of her book, and having given mature deliberation to the style, the various subjects, and opinions on the matters it contains, we cannot but express the disappointment which the vivid anticipations in which we had allowed ourselves to indulge have experienced. We had been led to hope that the daughter of a statesman of such literary fame as the late Sir John Sinclair—whose admirable works on agriculture and the statistics of Scotland are so universally esteemed at home and abroad—would have at least produced a work regarding her own country not unworthy the daughter of such a sire. The public have long since condemned the work for its offences, both of omission and commission, and we regret that we see no ground for doubting the correctness of their judgment. We cannot conclude without assuring the authoress, that should she ever afford us further opportunities for commenting on other literary productions, we trust they may be of such a nature as to merit our approbation, and prompt us to praise rather than to “blame,” which latter is at all times a most ungracious task, and most truly painful when a lady is in question.

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- ART. VIII.—1. *Miscellaneous Verses.* By Sir Francis Hastings Doyle, Bart., Fellow of All Souls' College, Oxford. 12mo. London : 1840.
2. *Poetry for the People, and other Poems.* 8vo. London : 1840.
3. *Melaia, and other Poems.* By Eliza Cook. 8vo. London : 1840.

DOES the reign of poetry amongst the sons of men partake in any fashion of the character of those cycles, in which, as some sages believe, the harsh and the genial years, the abundant and the scanty autumns, follow each other through the various climates of our globe? Is there a time for sowing and a time for reaping, a time when the land must be fallow, and a time when it is sure to be exuberant, in the region of the Muses? We have seen Pindus night-capped in clouds when the Ægean was a perfect field of azure, and the islands lay upon her bosom as lightly as the lotus upon its leaves; their vineyards, and those hills dedicated to Ceres, basking meanwhile in all the rays of the noontide sun. The

native races of the Indus and the Ganges, believe that their favourite tutelar god abandons earth for a while, and returns to it periodically ; departing when the evil one is allowed to domineer, coming again when the virtues resume their sway. Is it thus with poetic inspiration ? Does she sleep, when we become too busy with the plough or the loom ? Has she any particular horror of us, when crime stalks with giant strides through the land ? Does she not relish the smoke of our steamers ? Does the rattle of the railroad frighten her away ? and does she, on some distant mountain side, or by some solitary fountain, weep over our once flowery meadows, cut up and quartered by those inexorable tyrants, Brunell, Stephenson, and Co. ?

"Ye gods annihilate both time and space, and make two lovers happy !" was the fervent aspiration of the true victims of passion in the days of yore. The double prayer may now be easily gratified, provided the lover has a sovereign or two in his purse, and feels no fear of being blown up on the way. Whether his mistress be in the north, the east, the south, or the west, he has only to choose the proper train, and off he goes. He has scarcely leisure to count the minutes, when he is already at her feet. But the mode in which this is done—the fire borrowed from Newcastle, not from Olympus, by which he is whirled along—is so very vulgar, the face of the fireman is so very unlike that of Venus, and his poker has so very little in it of the arrow of Cupid, that it seems to us as if the days of poetry were to be no more. The steam-engine accomplishes our every wish with such a downright mechanical certainty, that romance is altogether left behind in the race. Whether the new atmospheric railway is to produce any alteration for the better in this respect, we are quite at a loss to conjecture.

Perhaps we are grown too fastidious. Our palates having been so long accustomed to the highly-seasoned viands prepared by *Childe Harold*, and to the "sweets" with which they were intermixed under the auspices of the Irish melodist, can perchance experience no delight in the simple fare of Wordsworth and his followers. There are, we know, many—too many by a great deal—who have taken the vow of poetical teetotalism ; who abhor Lord Byron's gin, and the bard's legacy—the "balmy drops of the red grape;" who have forsaken even the mountain dew of the "Northern Wizard." Hence, most probably, the insipidity of the day in all things that relate to poetry. We have never yet known a water-

drinker to turn a verse with anything like Sapphic energy. If that lady has not been belied, the nectar of Tenedos was no stranger to her lips. Everybody knows Anacreon's partiality for a bumper; and Horace plainly tells us, that if he had not had a good dinner, and a *quantum sufficit* of the purple juice, never could he produce a stanza worth a *Euge! euge!*

We are certainly no Wordsworthians. Whenever by accident we look into some of his multitudinous pages, we are reminded of a tiny brook meandering in a shallow bed, in numerous unpicturesque circuits over a sandy plain—a little ripple here—a dull silence there—a murmur just sufficient for a nightingale to swear by further on; and then a flow in an uninterrupted level until the waters mingle with a dead lake—a regular *mare mortuum*. Yet this is the man whose works are now, it is said, sought for with insatiable avidity. They one and all fell, years ago, still-born from the press; but it seems, if we are to repose our faith in the eulogies of his admirers, that they were instinct with a peculiar species of vitality, which remained inert for a prescribed season, and that the said season having expired, the creatures are now escaping from their chrysalis shape, putting on their brilliant wings, and seeking the skies! Nay, laws are proposed for turning back the course of time in Wordsworth's favour—for annihilating the copy-right years that have already passed without profit to his fortune, or sufficient celebrity to his name; and by a sort of *ex post facto* renown, to compensate him for the obscurity in which his productions have, down to a very late hour, been entombed!

We truly wish the posterity of the bard all manner of success, so far as the good things of this world are concerned. May they receive and enjoy golden benefits to the fullest extent which the "dreams of avarice" can picture! But if it be true that the models of versification which Wordsworth has wrought in such numbers and with such marvellous facility, are becoming fashionable, and exercise influence amongst the poetic aspirants of our age, we fear that we have but little chance for at least half-a-century to come, of any poem that will merit immortality.

When, after having examined with some attention the effusions now before us, we turned to compare them for a moment with the full tide of passion in *Lara* or the *Giaour*—or with that picture of

“ Azure gloom  
Of an Italian night, where the deep skies assume  
Hues which have words, and speak to ye of heaven,  
Floats o'er this vast and wondrous monument,  
And shadows forth its glory :”

We feel, indeed, that

“ there is given  
Unto the things of earth, which time hath bent,  
A spirit's feeling ; and where he hath leant  
His hand, but broke his scythe, there is a power  
And magic in the ruined battlement,  
For which the palace of the *present hour*  
Must yield its pomp, and wait till ages are its dower.”

If it be a sign of genius to have caught the spirit and the peculiar transparency of style belonging to Wordsworth, the author of the first of the volumes on our list is undoubtedly entitled to considerable credit. His productions, though but lately entered into life, have already attracted some notice—and this is a great deal to say, looking at the mass of verse which during the last eight or ten years have passed unheeded by from their cradle to their grave, through all the highways and byways of the press, from the splendidly illustrated and typographed annual of imperial octavo, down to the Moxon duodecimo.

The external decorations now so lavishly bestowed on new works—the beautifully figured and gilded cover—the pellucid and elegant type—the fine paper woof upon which the stanzas are spread out in all the luxury of self-enjoyment, really tempt one to buy and put on the drawing-room table many a volume of verse, which, however, when they come to the ordeal of perusal, do unhappily too often turn out to be most villainous impostures—literary members, as it were, of that well-dressed fraternity called, *par excellence*, the “swell mob,” who assume a fashionable air in order that they might pursue their light-fingered trade with more success and fewer perils of detection.

To the initiated eye, your Wordsworthian is discernible at once by his invocations to the “Spirit of Beauty,” “inner suns,” embodied “memories,” and “charities,” “loves,” “effulgencies” of the soul, and all that tribe of impersonated impulses, which do indeed belong legitimately to true poetry—but to poetry in her impassioned moods, when, exalted above the earth, she jingles with the choirs of heaven, and borrows the language of the seraphim. The blunder of the school of Wordsworth is this, that when the soul is scarcely moved at

all—at least when it has no power to move any other soul—when it is dozing through some dull dream, or describing some little fat urchin, some new-born cock, kitten, or puppy, it affects the dialect of the skies, and humbles the fiery expression of noble thoughts to the meanest uses of the poultry-yard or the kennel.

This dressing-up of the commonest objects of life, these attempts to surround with celestial haloes ideas of a very ordinary class, and to introduce within the poetical climate paltry flowers and hedge-side weeds, are decided symptoms of the school. Sir Francis Doyle acknowledges his vassalism at once, in a sonnet, which he says he wrote in “the first page of Wordsworth’s poems” :—

“ In this high poet’s song you will not find  
Fierce passion painted with a demon’s fire ;  
Vice by *wild incongruities refined*,  
And every virtue poisoned at its source.”

May we ask how vice can be *refined* by “ *wild incongruities* ? ” By such additions we can understand that vice might be rendered uncouth, objectionable to any person of taste, and rather devoid of refinement than otherwise, seeing that “ *wildness* ” and “ *refinement* ” are diametrically opposite to each other. “ *Incongruities* ,” also, by what process can they be justly said to “ *refine* ” anything whatever ? They may tend to present vice in a ridiculous or contemptible shape ; but how could they civilize it ?

“ And every virtue poisoned at its source.”

What is the meaning of this line ? It alludes manifestly to Lord Byron’s productions. Does Sir Francis intend to say that in those works we can find the *source* of every virtue, but that the said source is uniformly poisoned ? If this be his meaning, we must discredit the assertion in both respects ; for the “ *source* ” of every virtue is not to be met with in those writings, neither is every virtue poisoned in them. On the contrary, there are many passages in the noble poet’s works, which serve to elevate the mind, and to nurture in it the germs of pure affection, veneration for the Deity, patriotism, faith, and hope, and charity. It is indeed to be deplored, that the same mind which has left us the most glorious representation of St. Peter’s at Rome, that has ever yet fallen from the pen of man, should have frequently defiled itself with licentious thoughts and language. But perish those remains of Byron which disgrace his name, and let those live which do honour

to our age! Much has he written under evil impressions—too much of his fine genius did he indeed throw away upon “wild incongruities,” to borrow a phrase from the page before us; but he calls upon the sons of Greece to restore their ancient liberties—calls since so successfully answered. The many splendid thoughts with which his poetry abounds, and the true emanations of the *mens divinior* which characterize so large a portion of his writings, if put in the balance against his mischievous and depraved compositions, would weigh them greatly down. By the side of such a sun, the “star” to which Sir Francis compares his idol in the sonnet alluded to, does indeed “pale its ineffectual light.”

We do not remember that Lord Byron has, in any of his pages, written in admiration of “prussic acid.” Sir Francis has some stanzas about this real poison, which require a remark or two. It is correct to assimilate the skeleton in the tomb to the “wrecks” of some noble ship shattered on the rocks. But when the writer goes on to say—

“These are the wrecks of life—not death,  
Before whose loveliness benign  
Each earthly sorrow vanisheth  
From all, who cross her calming line,”

we must ask how, in any poetical point of view, death can be here made to resemble the globe with its equatorial line, for that is the comparison suggested, and yet in the very next stanza spoken of as a “scythed monster?” Perhaps we do not rightly interpret the stanza in question.

“Weak man with her identifies  
A scythed monster—he miscalls;  
Still this is life, who, as he flies,  
Turns back, to mock the wretch who falls.”

In grammatical construction, we do not see what connexion the words “he miscalls” have with the sentence in which they are placed. They serve to afford a rhyme to “falls,” and nothing more. But what is it that “is life”? Is it the “scythed monster”? No; for that is death. And yet the verse tells us that the said “scythed monster” is life, who, as man flies, turns back, and mocks the wretch who falls. Now if it be true that earthly sorrow vanishes from all who cross the line of death, how can the navigator be at the same time a wretch, and yet free from all earthly sorrow? We ask these questions with a view to show the absurdities, the downright nonsense, into which the Wordsworthians insensibly glide, when they attempt

to beautify things that really have no beauty in them. Death is indeed an awful change for the human creature—it is no monster, and certainly no mocker; nor can we, in any sense, call it a being endowed with loveliness. It is the termination of existence here, and whether sorrows vanish

“From all who cross her calming line,”

is a problem which we have no means of solving.

Further on, we find this same Death represented by the “Spirits of Death,” as known to them

—“in another guise  
Of deepening thought, and quiet love,  
Serenely fair, divinely wise,  
And changeless as the heavens above.

“We know her as the faithful spouse  
Of sleep, from toil and evil free,  
And around her pale and placid brow,  
Wreathed blossoms of the almond tree.”

The moral critics who anathematized Lord Byron, especially charged him with the crime of painting death as an “eternal sleep.” Sir Francis Doyle does not indeed go so far as this. He says that death is only the wife of sleep, and that on her pale and placid brows, which a few lines before were so lovely and benign, she wears wreathes of the almond tree, from whose fruit, as we all know, is produced the prussic acid! It will be difficult, by and bye, should the Wordsworth school become really fashionable, to find in nature any object which does not deserve to be called “benignly lovely,” “quietly lovely,” “serenely fair,” “divinely wise,” beautifully “pale and placid,” if prussic acid is to be considered as endowed with all the charms above enumerated.

But it seems that prussic acid hath even more potent spells than these:—

“She loves the flower, she loves the fruit,  
Because, within them hidden flows  
An essence, rapid to transmute  
Man to the dim caves of repose.”

To transmute is to change one substance into another. To transmute man to “caves” is therefore to turn him into more than one cave; and to convert him into more than one cave of repose is perhaps the most strange of all the fates that our poor mortality has ever yet been threatened with!

“ Loud-throated war is swift to kill,  
 When cannon roar across the *lea* ;  
 We honour him, but swifter still  
 The noiseless work of the almond tree.”

That is, the Spirits of Death, who are supposed to be singing this song, honour war much, but prussic acid much more, because it does its work still more rapidly. We doubt the alleged fact, especially when a man's head happens to be taken off his shoulders by a cannon ball.

“ The lowing herd winds slowly o'er the *lea*.”

This perhaps is the line that first suggests to ninety-nine out of a hundred the signification usually attached to the word “ *lea*,” that is, a pasture, with which one is not much accustomed to associate warlike ideas. Spenser does indeed use it in that way.

“ As when two warlike brigantines at sea,  
 With murd'rous weapons arm'd to cruell fight,  
 Do meet together on the wat'ry *lea*.”

But the authority of Spenser does not convince us that his is a justifiable application of the word ; more especially, we think it objectionable in the way he puts it—the “ *watery lea*. ” Shakspeare generally uses it in an agricultural sense, and this sense best agrees with its Saxon origin. We shall not cut up this unfortunate composition further, though it affords “ *verge enough* ” for criticism.

It would be a cheerless task to bring together all the specimens of weak prose which in this volume assume the form of verse. The author writes about a lady to whom he gives the name of Genevra ; she disappeared, and he heard no more about her for fifty long years. It is thus he paints the agonizing emotions which he says he experienced when he first learned that she was gone :

“ How terrible the *rise* and *fall*  
 Of soul-killing suspense !  
 I tore myself away from all  
 Upon some weak pretence ;  
 I hid myself in *darkness black*,  
 Upon the hard cold ground,  
 That I might hear, when I came back  
 The lost one had been found !”

What does our poet mean by the *rise* and *fall* of suspense ? The misery of suspense is that it has no change of that kind,

but remains unalterable between hope and fear. The addition of the epithet *black* to *darkness* is, at least, superfluous; and the lines are certainly as little expressive of mental agony as any that could possibly be got together for such a purpose.

It may be supposed that we “papists,” as we are often politely designated in English verse and prose, felt a little impulse of curiosity when lighting upon a composition to which our poet has given the title of “The Old Cavalier,” to know how he treated a theme so full of old associations. One or two stanzas soon quelled all our eagerness upon that point.

“ The other day, there came, God wot !

A solemn pompous ass,  
Who begged to know if I did not go  
To the sacrifice of mass :  
I told him fairly to his face,  
That in the field of fight,  
I had shouted loud for church and king,  
When he would have run outright.

“ He talked of the man of Babylon,

With his rosaries and copes,  
As if a Roundhead wasn’t worse  
Than half a hundred Popes.  
I don’t know what the people mean,  
With their horror and affright ;  
All Papists that I ever knew  
Fought stoutly for the right.”

Happily, we have some better historians, and poets too, to tell of Catholic fidelity to the good cause (so long as it was good and just) than Sir Francis Doyle; otherwise our ancestors would have stood but a poor chance indeed of the honour to which they earned an imperishable title.

Sir Francis objects, with vast anger, to the sale (by order of the Treasury) of an Arabian horse presented to our sovereign by the Imaum of Muscat. It is amusing to read the splenetic bombast by which he endeavours to raise this economical act (a paltry and mean economy it was, we must admit) into a crime little short of high treason.

“ He was a horse for days of old,  
When British hearts were firm and true,  
Unfit for times so mean and cold,  
And the *greedy pedlars* knew.

“ Great thoughts, great deeds, and feelings high,  
The sunshine of our British past,  
All they can neither sell nor buy,  
To heaven or hell away they cast.”

We recommend the whole composition to the peculiar admiration of the *Morning Herald*. The idea of the greedy pedlars casting away to heaven or hell, as if both places were equally vile, the great thoughts, deeds, and feelings of the Britons of old, and of throwing after such missiles everything which they (the said pedlars) could neither sell nor buy, is certainly remarkable for its originality.

Sir Francis, under the title of a poetaster, which he has bestowed upon himself (with what justice let the reader judge), pleads in favour of his volume, that nobody is bound to peruse it; that it is printed, published, and puffed, at his own expense, and that, in fact, nobody has a right to find fault with him, write what trash he may. We quote the "plea," but we demur to the conclusion; being of opinion, that all those writers who give their scribblings to the public are bound at least to shew some little title to applause. An actor who appears on the stage might as well say, "Here am I for my own particular amusement, not for yours. If you like me not, shut your eyes and ears, while I fret my little hour away."

"To some mysterious wisdom make pretence,  
Sneer at plain strength of head and stalwart sense ;  
Discover then that rhyme is not a knife,  
To open, at their will, the *oyster-life* ;  
Grow sour and bitter, and fermenting fast,  
Fret into *eager vinegar* at last,  
Till the vexed world wraps, in one general curse,  
Each luckless vagabond who writes a verse.  
Still setting these aside, a whining few,  
Why loose your dogs against our harmless crew ?  
*At my own cost I give the world my own—*  
It does not please you ?—leave it then alone.  
To the dull page no law chains down your eye,  
*No Act of Parliament compels to buy.*"

Dull as his pages are admitted by Sir Francis to be, nevertheless he claims for them the merit of displaying plain strength of head and stalwart sense; which said sense appears particularly manifest in his fine comparison of human life to an oyster, which rhyme, especially bad rhyme, cannot open ! The unreasonable critics to whom he alludes, when they find that they cannot open the said oyster with a rhyme, then fret themselves into "eager vinegar" (Miss Roberts should, in the next edition of her cookery book, give us a receipt for *eager vinegar*), until—what think you?—until the vexed world pronounces anathema upon the whole race of poetasters !

Why so? Why should the whole world become vexed because a few sour critics have fretted themselves into "eager vinegar"? We take it for granted that the *to* in the first line of the above verses should have followed "some," otherwise the passage will be deprived of the "stalwart sense," by which, in the author's estimation, his verses are characterised.

Now to shew our author, that although we have remarked freely upon his volume, we are actuated by no personal ill-will against himself, we subjoin an example of his better style of writing, giving an animated and really inspiring description of a capital race at Doncaster. This effusion of Sir Francis's muse, leads us to hope that he may yet produce compositions of a much higher order than the great mass of those comprehended in his present volume. We take the liberty to suggest to him, however, the expediency of not publishing too rapidly, and of attending to Horace's maxim, of keeping even his most select writings some nine years or more in his portfolio, correcting and revising them now and then, at such intervals of leisure as his other avocations may permit.

"Clear peals the bell; at that known sound,  
 Like bees, the people cluster round;  
 On either side upstanding then,  
 One thick dark wall of breathing men,  
 Far down as eye can stretch, is seen  
 Along yon vivid strip of green,  
 Where, keenly watched by countless eyes,  
 'Mid hopes, and fears, and prophecies,  
 Now fast, now slow, now here, now there,  
 With hearts of fire, and limbs of air,  
 Snorting and prancing—sidling by  
 With arching neck and glancing eye,  
 In every shape of strength and grace,  
 The horses gather for the race;  
 Soothed for a moment all, they stand  
 Together, like a sculptured band;  
 Each quivering eye-lid flutters thick,  
 Each face is flushed—each heart beats quick;  
 And all around dim murmurs pass,  
 Like low winds moaning on the grass.  
 Again—the thrilling signal sound—  
 And off at once, with one long bound,  
 Into the speed of thought they leap,  
 Like a proud ship rushing to the deep.  
 A start! a start! they're off, by heaven!  
 Like a single horse, though twenty-seven;

And 'mid the flash of silks we scan  
 A Yorkshire jacket in the van ;  
     Hurrah ! for the bold bay mare !  
 I'll pawn my soul, her place is there,  
     Unheaded to the last,  
 For a thousand pounds she wins unpassed—  
     Hurrah ! for the matchless mare !  
 A hundred yards have glided by,  
     And they settle to the race ;  
 More keen becomes each straining eye,  
     More terrible the pace.  
 Unbroken yet, o'er the gravel road,  
 Like maddening waves, the troop has flowed,  
     But the speed begins to tell ;  
 And Yorkshire sees, with eye of fear,  
 The Southron stealing from the rear.  
     Ay ! mark his action well !  
 Behind he is, but what repose !  
 How steadily and clean he goes !  
 What latent speed his limbs disclose !  
 What power in every stride he shows !  
 They see, they feel—from man to man  
 The shivering thrill of terror ran,  
 And every soul instinctive knew  
 It lay between the mighty two.  
 The world without, the sky above,  
     Have glided from their straining eyes—  
 Future and past, and hate and love,  
     The life that wanes, the friend that dies.  
 Even grim remorse, who sits behind  
 Each thought and motion of the mind :  
 These now are nothing, time and space  
 Lie in the rushing of the race :  
 As, with keen shouts of hope and fear,  
 They watch it in its wild career.  
 Still far a-head of the glittering throng,  
 Dashes the eager mare along ;  
 And round the turn and past the hill,  
 Slides up the Derby winner still.  
 The twenty-five that lay between,  
 Are blotted from the stirring scene,  
 And the wild cries which rang so loud,  
 Sink by degrees throughout the crowd,  
 To one deep humming, like the roar  
 Of swollen seas on a northern shore.  
 In distance dwindling to the eye,  
 Right opposite the stand they lie,  
     And scarcely seem to stir ;

Though an Arab scheich his wives would give  
For a single steed that with them could live

Three hundred yards without the spur.

But, though so indistinct and small,

You hardly see them move at all ;

There are not wanting signs which show

Defeat is busy as they go.

Look how the mass which rushed away

As full of spirit as the day,

So close compacted for awhile,

Is lengthening into a single file.

Now inch by inch it breaks, and wide

And spreading gaps the line divide.

As forward still, and far away,

Undulates on the tired array,

Gay colours, momently less bright,

Fade flickering on the gazer's sight,

Till keenest eyes can scarcely trace

The onward ripple of the race.

Care sits on every lip and brow.

'Who leads ? who fails ? how goes it now ?'

One shooting spark of life intense,

One throb of refluent suspense,

And a far rainbow-coloured light

Trembles again upon the sight.

Look to yon turn, already there

Gleams the pink and black of the fiery mare ;

And through that which was but now a gap,

Creeps on the terrible white cap.

Uprises straight a terrible shout,

Wrung from their severed spirits out ;

Then momently like gusts you heard,

'He's sixth !—he's fifth !—he's fourth !—he's third !'

As on, like some arrowy meteor flame,

The stride of the Derby winner came.

And during all that anxious time,

(Sneer as it suits you at my rhyme,) (

The earnestness became sublime ;

Common and thrilling as is the scene,

At once so thrilling and so mean,

To him who strives his heart to scan,

And feels the brotherhood of man,

That needs must be a mighty minute,

When a crowd has but one soul within it.

As some bright ship, with every sail

Obedient to the urging gale,

Darts by vexed bulls, which, side by side,

Dismasted on the raging tide,

Are struggling onward, wild and wide :

Thus, through the reeling field he flew,  
 And near, and yet more near he drew ;  
 Each leap seems longer than the last ;  
 Now—now—the second horse is past,  
 And the keen rider of the mare,  
 With haggard looks of feverish care,  
 Hangs forward on the speechless air,  
 By steady stillness nursing in  
 The remnant of her speed to win.  
 One other bound—one more—'tis done—  
 Right up to her the horse has run,  
 And head to head, and stride for stride,  
 Newmarket's hope and Yorkshire's pride,  
 Like horses harnessed side by side,  
 Are struggling to the goal.

Ride ! gallant son of Ebor, ride !  
 For the dear honour of the north  
 Stretch every bursting sinew forth,  
 Put out thy inmost soul !

And with knee, and thigh, and tightened rein,  
 List in the mare by might and main ;  
 The feelings of the people reach  
 What is beyond the powers of speech,  
 So that there rises up no sound  
 From the wide human life around ;  
 One spirit flashes from each eye,  
 One impulse lifts each heart throat-high,  
 One short and panting silence broods  
 O'er the wildly-working multitudes,  
 As on the struggling coursers press,  
 So deep the eager silentness,  
 That underneath their feet the turf  
 Seems shaken, like the edying surf

When it tastes the rushing gale,  
 And the singing fall of the heavy whips,  
 Which tear the flesh away in strips,

As the tempest tears the sail,  
 On the throbbing heart and quivering ear,  
 Strike vividly distinct and near.  
 But hark ! what a rending shout was there,  
 ' He's beat ! he's beat !—by heaven the mare !'  
 Just on the post, she springs away,  
 And by half a length has gained the day.

Then how to life that silence wakes,  
 Ten thousand hats thrown up on high,  
 Send darkness to the echoing sky,

And like the crash of hill-pent lakes,  
 Out-bursting from their deepest fountains,  
 Among the rent and reeling mountains,

At once from thirty thousand throats,  
Rushes the Yorkshire roar,  
And the name of their northern winner floats  
A league from the course, and more."—pp. 145-54.

To Mr. Milnes we should, with great deference, offer advice similar to that which we have just tendered to Sir Francis Doyle. Of the former we entertain a very high degree of hope. Three or four of the compositions in his volume appear to us to be written with exquisite taste and feeling. We allude particularly to the "Christmas Story;" the "Voices of History;" the "Voice of the People;" and the "Spanish Anecdote." The primary title which he has given to his collection, of *Poetry for the People*, refers but to a few out of the mass; indeed so few that they scarcely furnish an apology for any title at all of that kind. The verses which he dedicates to their especial use, are chiefly intended to shew that labour is the lot of all men, in whatever rank of life they move; that the foxhunter is as industrious in his destruction of game as the ploughman is in fitting the land for the reception of seed, and that even the very idle are busy in killing time; a doctrine not very consolatory to the hard-working potter and carpenter. With the exceptions we have stated, all the remainder of his book is "but leather or prunello." Indeed we have been surprised to find such beautiful pieces of poetry—for such they are in the true sense of the word—as those we have mentioned, followed by a whole tribe of sonnets in the Rosa Matilda style, or something worse; two long tales attempting to shew that the worship of Venus has been continued down almost to our own day; and some other tales and fanciful legends equally unreadable.

We must not omit to ask Mr. Milnes, upon whose authority he writes, both in his prose and verse, "wished" *wisht*, "dispatched" *dispatcht*, "watched" *watcht*, "disfurnished" *disfurnisht*—why, in short, he institutes a *t* in all participles past, for the usual termination *ed*? We ask, also, why he prints the word "height" *hight*, and takes other liberties with the long accepted orthography of our language, not warranted even by any modern innovator, himself alone excepted? These small affectations of singularity betray a crotchety species of character, which we should never have thought of attributing to the author of some of the poems in this volume. We hope that his printers, Messrs. Bradbury and Evans, will not again submit to this typographical heresy in their composition-room. We regret that the Christmas story is rather too

long for quotation. It is the sad tale, alas ! too often realized, of a lost child seated upon the steps of some lordly mansion in the most inclement season of the year, and perishing, chilled by the cold blast, while the enjoyments of Christmas are going on within the interior of the comfortable dwelling. The poet summons an angel from the skies to hold converse with the orphan, to console it with his soothing language, and eventually to bear away with him its immaculate spirit.

“ **A**lone ! this fragile human flower,  
**A**lone ! at this unsightly hour,  
**A** playful, joyful, peaceful form,  
**A** creature of delight,  
**B**ecome companion of the storm ,  
**A**nd phantom of the night !

\*       \*       \*

“ **I**t looks before, it looks behind,  
**A**nd staggers with the weighty wind,  
**T**ill terror, overpowering grief,  
**A**nd feeble as an autumn leaf,  
**I**t passes down the tide of air,  
**I**t knows not, thinks not, how or where.

\*       \*       \*

“ **N**ow the tiny hands no more  
**A**re striking that unfeeling door ;  
**F**olded and quietly they rest,  
**A**s on a cherub’s marble breast ;  
**A**nd from the guileless lips of woe  
**A**re passing words confused and low ;  
**R**emembered fragments of a prayer  
**L**earnt and repeated otherwhere ;  
**W**ith the blue summer overhead,  
**O**n a sweet mother’s knee,  
**B**eside the downy cradled bed,  
**B**ut always happily.”

\*       \*       \*

The angel guardian of the child appears—invites him to his heavenly abode—and bears away that pure soul to paradise. The inhabitants of the mansion the following morning find the dead infant on the threshold.

“ **A**sleep it seems, but when the head  
**I**s raised, it sleeps, as sleeps the dead ;  
**T**he fatal point had touched it, while  
**T**he lips had just begun a smile,

The forehead, 'mid the matted tresses,  
A perfect painless end expresses,  
And, unconvolst, the hands may wear  
The posture more of thanks than prayer.  
They tend it straight in wondering grief,—  
And, when all skill brings no relief,  
They bear it onward, in its smile,  
Up the cathedral's central aisle :  
There, soon as priests and people heard  
How the thing was, they speak not word,  
But take the usual image, meant  
The blessed babe to represent,  
Forth from its cradle, and instead  
Lay down that silent mortal head.  
Now incense—cloud and anthem—sonnd—  
Arise the beauteous body round ;  
Softly the carol chaunt is sung,  
Softly the mirthful peal is rung,  
And when the solemn duties end,  
With tapers earnest troops attend  
'The gentle corpse, nor cease to sing,  
Till, by an almond tree  
They bury it, that the flowers of spring  
May over it soonest be."—pp. 20-21.

The following stanzas appear to us to be replete with true poetical power. In more than one of the stanzas glance out those irradiations of the *mens divinior*, which are the unerring test of genius. The march of the lines is well disciplined, the diction natural and bold, and the flow of the lines sounds musically on the ear.

#### THE VOICES OF HISTORY.

- " The poet in his vigil hears  
Time flowing through the night,—  
A mighty stream, absorbing tears,  
And bearing down delight :  
There, resting on his bank of thought,  
He listens till his soul  
The voices of the waves has caught,—  
The meaning of their roll.
- " First, wild and wildering as the strife  
Of earthly winds and seas,  
Resounds the long historic life  
Of warring dynasties :—  
Uncertain right and certain wrong  
In onward conflict driven,  
The threats and tramplings of the strong  
Beneath a brazen heaven.

“ The cavernous unsounded East  
 Outpours an evil tide,  
 Drowning the hymn of patriarch priest,  
 The chant of shepherd bride :  
 How can we catch the angel word,  
 How mark the prophet sound,  
 'Mid thunders like Niagara's, heard  
 An hundred miles around ?

“ From two small springs that rise and blend,  
 And leave their Latin home,  
 The waters East and West extend,—  
 The ocean-power of Rome :  
 Voices of victories ever won,  
 Of pride that will not stay,  
 Billows that burst and perish on  
 The shores they wear away.

“ Till, in a race of fierce delight,  
 Tumultuous battle forth,  
 The snows amast on many a height,  
 The cataracts of the North :  
 What can we hear beside the roar,  
 What see beneath the foam,  
 What but the wrecks that strew the shore,  
 And cries of falling Rome ?

“ Nor, when a purer faith had traced  
 Safe channels for the tide,  
 Did streams with Eden's lilies graced  
 In Eden sweetness glide ;  
 While the deluded gaze admires  
 The smooth and shining flow,  
 Vile interests and insane desires  
 Gurgle and rage below.

“ If history has no other sounds,  
 Why should we listen more ?  
 Spirit ! despise terrestrial bounds,  
 And seek a happier shore ;  
 Yet pause ! for on thine inner ear  
 A mystic music grows,—  
 And mortal man shall never hear  
 That diapason's close.

“ Nature awakes ! a rapturous tone,  
 Still different, still the same,—  
 Eternal affluence from the throne  
 Of Him without a name ;

A symphony of worlds begun,  
 Ere sin the glory mars,  
 The symbols of the new-born sun,  
 The trumpets of the stars.

“ Then beauty all her subtlest chords  
 Dissolves and knits again,  
 And law composes jarring words  
 In one harmonious chain :  
 And loyalty’s enchanting notes,  
 Outswelling, fade away,  
 While knowledge from ten thousand throats  
 Proclaims a graver sway.

“ Well, if by senses unbefooled,  
 Attentive souls may scan  
 These great ideas that have ruled  
 The total mind of man ;  
 Yet is there music deeper still,  
 Of fine and holy woof,  
 Comfort and joy to all that will  
 Keep ruder noise aloof.

“ A music simple as the sky,  
 Monotonous as the sea,  
 Recurrent as the flowers that die  
 And rise again in glee :  
 A melody that childhood sings  
 Without a thought of art,  
 Drawn from a few familiar strings,  
 The fibres of the heart.

“ Through tent, and cot, and proud saloon,  
 This audible delight  
 Of nightingales that love the noon,  
 Of larks that court the night,—  
 We feel it all,—the hopes and fears  
 That language faintly tells,  
 The spreading smiles,—the passing tears,—  
 The meetings and farewells.

“ These harmonies that all can share,  
 When chronicled by one,  
 Enclose us like the living air,  
 Unending, unbegun ;—  
 Poet ! esteem thy noble part,  
 Still listen, still record,  
 Sacred historian of the heart,  
 And moral nature’s Lord ! ”—pp. 24-29.

These latter lines suggest some thoughts upon the theory of music, which readers of taste and musical dispositions may follow up, when they chance to be in the mood for such reveries. A bell struck, or a cord vibrated in a complete vacuum yields no sound. Air, therefore, is always necessary for the production of sound; it is very certain that if there were no atmosphere, we could not hear each other speak, however near we might be. It follows that the atmosphere is the fountain of sound, as the sun is the great source of light; and that in all our various modes of creating those tones to which we give the general designation of music, we only act upon the air around us, very much after the fashion in which the prism acts upon light—that is, by some species of vibration or another. We separate the particular modulations which we desire to hear, from the great mass of sound embodied in the firmament.

Stretch two or three strings on a plain board, give them room to tremble, place the board in a window through which a current of air is passing, and you have at once an *Æolian* lyre, yielding the most enchanting notes, swelling and dying away with the undulations of the medium of which the atmosphere is composed. The thinner branches, the sprays, and the leaves of trees, rushes, the stenis of corn, the ripples of brooks, the rushing waters of rivers, the rising and falling waves of the sea—these are all, if we may say so, prisms analyzing the matter of the atmosphere, and hence come the successive higher and lower tones which we listen to with so much delight, when they steal softly on our senses—but fill us with terror, when they bear upon the ear the deeper thunders of the tempest.

The apertures in the flute are analogous to the pipes of the organ: the aperture and the pipe are united to the notes we wish them to bring out of the flood of music around us, and those notes we extract by the process of prismatic separation. Hence the expression in Milton,

“*Untwisting all the chains that tie  
The hidden soul of harmony*”

is not only poetically beautiful, but literally correct in a physical point of view. We can, therefore, understand as perfectly justifiable the phrase so often derided by superficial writers and talkers—“the music of the spheres.” We cannot doubt that the earth, constantly circulating on its own axis, does awaken from its own atmosphere mighty volumes of sound—

that those sounds are mingled in space with the voices of myriads of other spheres, and that thus the whole orchestra of creation forms a meet and majestic accompaniment to the eternal "Halleluiahs!" hymned to the Omnipotent by the heavenly hosts.

"List to the dreamy tone that dwells  
In rippling wave, or sighing tree ;  
Go, hearken to the old church bells,  
The whistling bird, the whizzing bee.

Interpret right, and ye will find  
'Tis 'power and glory' they proclaim :  
The chimes, the creatures, waters, wind,  
All publish 'hallowed be thy name !'

"The pilgrim journeys till he bleeds,  
To gain the altar of his sires,  
The hermit pores above his beads,  
With zeal that never wanes nor tires ;  
But holiest rite or longest prayer,  
That soul can yield or wisdom frame,  
What better import can it bear  
Than 'FATHER, hallowed be thy name !'

"The savage kneeling to the sun,  
To give his thanks or ask a boon ;  
The raptures of the idiot one  
Who laughs to see the clear round moon ;  
The saint well taught in Christian lore,  
The Moslem prostrate at his flame,  
All worship, wonder, and adore,  
All end in 'Hallowed be thy name !'

"Whate'er may be man's faith or creed,  
Those precious words comprise it still :  
We trace them in the bloomy mead,  
We hear them in the flowing rill.  
One chorus hails the Great Supreme ;  
Each varied breathing tells the same.  
The strains may differ ; but the *theme*  
Is 'FATHER, hallowed be Thy name !'" —(pp. 73-74.)

These beautiful stanzas, animated with the true fervour and graces of piety, have come so aptly in favour of our argument, that we could not deny ourselves the pleasure of presenting them to the reader. They are not, however, from the pen of Mr. Milnes, but from that of the lady whose name appears in the third volume on our list. Her name, we understand, is familiar to the readers of the most widely diffused weekly political

journal published in the metropolis. It is due to Miss Cook, however, to say, that her political connexions very rarely influence the sweet tenor of her poetry. Her productions are by far the most engaging of any that we have seen from the press for many a year. There is a raciness, an originality, a vigour of thought, and a vein of happy imagery throughout the whole collection, which easily persuade us to believe the statement in her preface, that a former large edition of this volume has met with a rapid sale, and that she has reason to feel that her writings are welcome to the public. We are happy to say that we share fully in the favourable judgment already thus pronounced upon them. Playful, serious, religious, joyous, stooping to the wild flower and hovering on the eagle's wing in turn, these poems are well worthy of being preserved. They are calculated to afford entertainment to the child as well as to the sage, and an amiable personal disposition shines through every page, which must endear the writer to every person who looks into her well-stored volume. Here we have no ample margins, with verses widely placed apart streaming through them. Her work is compactly filled, and we must add that there are very few indeed of the compositions it contains which will not abundantly repay the occupation, for trouble we cannot call it, of perusing them.

The following example of Miss Cook's poetry, and it truly deserves the name, must close for the present our intercourse with the muses.

“ What sound is that ? 'Tis Summer's farewell,  
 In the breath of the night wind sighing ;  
 The chill breeze comes, like a sorrowful dirge  
 That wails o'er the dead and the dying.  
 The sapless leaves are eddying round,  
 On the path which they lately shaded ;  
 The oak of the forest is losing its robe,  
 The flowers have fallen and faded.  
 All that I look on but saddens my heart,  
 To think that the lovely so soon must depart.

“ Yet why should I sigh ? Other summers will come,  
 Joys like the past one bringing ;  
 Again will the vine bear its blushing fruit ;  
 Again will the birds be singing ;  
 The forest will put forth its ‘honours’ again ;  
 The rose be as sweet in its breathing ;  
 The woodbine will climb round the lattice frame,  
 As wild and rich in its wreathing.  
 The hives will have honey, the bees will hum,  
 Other flowers will spring, other summers will come !

“ They will, they will ; but ah ! who can tell  
 Whether I may live on till their coming ?  
 This spirit may sleep too soundly then  
 To awake with the warbling or humming.  
 This check, now pale, may be paler far,  
 When the summer’s sun next is glowing ;  
 The cherishing rays may gild with light  
 The grass on my grave-turf growing :  
 The earth may be glad, but worms and gloom  
 May dwell with *me* in the silent tomb !

“ And few would weep in the beautiful world,  
 For the shameless one who had left it ;  
 Few would remember the form cut off,  
 And mourn the stroke that cleft it ;  
 Many might keep my name on their lip,  
 Pleased while *that* name degrading ;  
 My follies and sins alone would live,  
 A theme for their cold upbraiding.  
 Oh ! what a change in my spirit’s dream  
 May there be ere the summer sun next shall beam.

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*Note to page 184.*

These observations were written before the solemnity which was enacted in a high court of judicature on the 16th February, 1841, and on the credulous supposition that it was intended to try Lord Cardigan before his peers. In the “ Court of our Lady the Queen in Parliament,” peers have the privilege of delivering their verdict upon honour. They have also, it should seem, by statute, the privilege of committing felony, with impunity for the first offence. Whether the public prosecutor abandoned, or only neglected, his duty on the late occasion, is a question of little importance, but we should hardly have expected Her Majesty’s Attorney-General to say—if his words are rightly reported—that if death had ensued, “ it would only have been a great calamity, and not a great crime.” (If we mistake not, one of the Divine commands is, “ Thou shalt not kill ;” and the infraction of this command, we humbly reckon to be one of the greatest of crimes.) Neither should we have expected—*having regard to the facts proved*—that the Lord Chief Justice of England would have expressed to the prisoner “ his SATISFACTION in declaring to him that, he, the prisoner, had been pronounced not guilty.” Assuredly the public look on the whole affair with anything but satisfaction. And in the high and palmy days of chivalry, we incline to think the peers of England would have considered truth and honour to be but one. But the days of chivalry have passed ! If John Thomas had been indicted at the Old Bailey for stealing a duck, and had been acquitted because it appeared the duck was a DEAD duck, (it being clear that a dead duck is NOT a duck) would the judge have expressed to the prisoner his SATISFACTION in declaring to him that he, the prisoner, had been pronounced not guilty ?

THE  
DUBLIN REVIEW.

MAY 1841.

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ART. I.—*Narrative of an Expedition to the Polar Sea, in the Years 1820-23; commanded by Lieutenant, now Admiral Ferdinand Von Wrangel, of the Russian Imperial Navy.* Edited by Major Edward Sabine, R.A., F.R.S. London: 1840.

THE question, whether beyond the great regions of ice, and lanes of sea occasionally opened through them, there exists a polar ocean freely navigable at all seasons, or any season of the year,—an ocean that would permit the passage of ships from the Pacific through Bhering's Strait to the Atlantic, to the north of the Asiatic continent, and from the Atlantic again to Bhering's Strait, to the north of the American continent—is one that remains unsolved. In other words, we are still, notwithstanding all the researches and discoveries that have been made in those quarters, unpossessed of means of knowing whether it would be possible to circumnavigate the division of the earth in the arctic circle with the same, or anything like the same, facility with which we can sail round the world through the Southern Pacific, Atlantic, and Indian Oceans. In every point of view, geographical and commercial, it would be most important to ascertain whether the northern and southern polar districts of our globe be composed of land or water—if of land, whether they are inhabited to any extent by human beings—if of water, whether that water is wholly, and at all times, frozen over, or whether it be penetrable to commercial enterprise.

Were these problems explained, the solution would, moreover, most probably put an end to all the mysteries that still attend the northern Auroral lights, disclose the secret of that electric agency with which the direction, the dip, and the variations of the needle, are so manifestly connected, and lead to

new views of the great laws by which the material portions of the universe are governed.

The light which M. Wrangel's narrative lends to these questions, is, indeed, very limited ; but it seems undoubtedly to dissipate to some extent the dense obscurity in which they have been hitherto shrouded. In the attempt to fulfil the mission with which he was charged by his imperial master, the Emperor of Russia, he has given us several curious details of the manners and habits of tribes of men with whom we have had hitherto little or no acquaintance ; and he has succeeded, by exertions worthy of the highest praise, made under circumstances of great difficulty and severe privation, in completing (though in some parts not quite satisfactorily) the survey of the whole of those portions of the Siberian coast which had not been previously explored. These are great and valuable contributions to the history of polar discovery, and as such they merit much more notice than they have as yet obtained in this country. The results of the exploring expedition sent by the United States to the South Seas, as officially reported by Lieutenant Wilkes, and the alleged discovery by that commander of an Antarctic continent, bestow an additional interest upon the operations of Admiral Wrangel.

Barrow's Strait was first passed in 1819 ; since then, all our efforts to establish a north-western passage have been confined to the forcing of one vessel through "land-locked and ice-incumbered portions of the polar ocean," from one sea to the other. We are as yet uninformed, whether to the north of that unprofitable species of passage, impediments to free navigation exist. M. Wrangel's narrative strongly encourages the hope that an open navigable sea to the north-east is to be found ; and, if so, there are many points of resemblance between the difficulties which he encountered, and the observations which he has made, that lead by analogy to the conclusion that a similar open sea may be found to the north of Parry Islands. The instructions given to Admiral Wrangel were founded upon the supposition that his course northwards would be bounded by regions of ice, and the equipment of his expedition was accordingly limited within that view of the question. He had no means of exploring a sea, should it happen that he might reach one. His attempts were continued through three successive years, and each attempt, repeated from many different points of a line extending for several hundred miles in an eastern and western direction, terminated alike in conducting him to an open and navigable sea ; and it is to be

lamented, that his discoveries have not since been followed up by the Russian government. They do, undoubtedly, afford, by analogy, strong confirmation of the opinions of those who have attached importance to the assertions of our own navigator, Davis, who stated, when in 1583 he sailed through the strait which now bears his name, that in latitude  $75^{\circ}$  he found himself "in a great sea, free from ice, large, very salt, blue, and of an unsearchable depth. To him, he adds, "it seemed most manifest that the passage was free and without impediment." We entirely concur with the editor of the volume now before us, Major Edward Sabine, in recommending that the efforts for solving this problem may be again renewed. A joint-expedition, at the expense of the British and Russian governments, for exploring the arctic lands and seas, might very probably lead to consequences of the most important character.

This volume opens with an introduction extending through nearly one hundred and fifty pages, in which the reader who wishes to enter minutely into the subject will find a general review of the voyages undertaken previously to the year 1820, in the polar ocean, between the sea of Karkskoie and Behring's Straits. We must limit ourselves to Admiral Wrangel's narrative of his own proceedings. He quitted St. Petersburg on the 23rd of May, 1820, and in a few days reached Irkuzka, the capital of Siberia; thence he hastened to the banks of the river Lena, where he embarked with his companions on board a flat-bottomed decked boat, loaded with provisions and all the necessary instruments; and on the evening of the 27th of June he began to descend that majestic river.

It may be here remarked, that there are few countries in the world favoured with such resources for internal navigation as Siberia. It contains several great rivers, which flow from the south to the north, and which are connected by so many streams in every direction that there is hardly a point of any importance throughout that vast territory which may not be reached by water. What incalculable advantages may not the steamboat yet confer upon that portion of the Russian empire!

The Lena is represented by Admiral Wrangel as one of the largest rivers in the world. For a considerable distance the country on either bank is sometimes mountainous and covered with impenetrable forests, offering a succession of views of picturesque and diversified beauty; and occasionally presenting slopes of hills, cultivated fields, pastures, and gardens, animated by cottages of peasants, standing singly or collected

in hamlets. In the channel of the river there are many wooded islands, and below Rigi the navigation is, in seasons of drought especially, apt to be interrupted by shallows. Beyond these shallows, the flat-bottomed vessels in common use meet with no further impediment. The river winds much in its career northwards, and in some places the bed is full seven, and even twelve, fathoms in depth. Black slate rock, with some kalc, chloride of slate in red clay, common clay and imperfect slate, limestone interspersed with veins of flint and calcareous spar, fragments of green-stone porphyry, common quartz with mica, beautiful dazzling white gypsum, and marble, appear to constitute the principal geological formation, on either bank of the river. In the bluff limestone rocks, some excavations appear to have been made with a view to the discovery of silver ore. In one of the caves thus made a larch tree has been seen growing from the rocky floor, at the depth of several fathoms, flourishing in spite of constant darkness. This is a remarkable circumstance, with reference to the opinions of those naturalists who contend that the sun's light is absolutely essential to the health of forest trees.

The forests of the Lena are rich in fur animals. The sables usually purchased at Olekina are considered, on account of their blueish cast, the best in Siberia. That place may be considered as the limit of corn cultivation. Our navigators had recourse here to an ingenious stratagem to enable their bark to proceed against a violent wind, which would otherwise have brought them to a stand-still. They bound four larch trees together in a row, and by attaching stones to them, they suspended them about a fathom under the water. The tops of the trees were downwards, and the roots were made fast by cords to the fore part of the vessel. As the wind, though it blew strongly against the stream, had no influence upon the under-current, the latter acting on what may be called the water-sail, bore on the bark against the wind and the surface-waves.

Beyond Olekina appear, for the first time, races living chiefly on the produce of their cattle, hunting, and fishing. Settlements become more rare, and where the settlers are Russians, they are miserably destitute of every comfort of life. But further north, where the aborigines still remain, the Jakuti, as they are called, being more accustomed to the climate, suffer less from ordinary privations. The party landed at Jakuyk on the 25th of July; it is situated on a barren flat, near the river, and though the Siberian summer then pre-

vailed, the only sign of the genial season there was the absence of snow! Not a green tree, or even bush, was to be seen. All was cold and gloom. The town, however, is one of some importance, as it is the centre of the interior trade of Siberia, which consists chiefly of furs of every class, walrus' teeth, and mammoth bones—those curious relics of an earlier world. These articles are occasionally brought from great distances—Bhering's Straits, and even the shores of the frozen polar sea. For these the Russian merchants give in exchange Circassian tobacco, tea, sugar, brandy, rum, Chinese cotton and silk, stuffs, coarse cloths, and hardware. No public exhibition takes place of the goods for sale. Contrary to the custom of European fairs generally, all the transactions are conducted in private, and with a certain degree of mystery. Among the Jakuti there are some good carpenters, cabinet-makers, and carvers in wood, and in the church of Jakuyk are to be seen specimens of their skill in painting, very neatly executed.

From Jakuyk, our travellers were obliged to proceed on horseback. They proceeded on their journey towards the end of August. Winter had already begun to set in, but, although severe, it was nothing to the cold which they subsequently experienced. As the Jakuti present, in their habits of living, characteristics but little civilized, yet not wholly savage, exhibiting a sort of transition from one state to the other, the following notice of their manners will be read with some degree of interest:—

“ Their countenance and language fully confirm the tradition of their descent from the Tartars. They are properly a pastoral people, whose chief riches consist in the number of their horses and horned-cattle, on the produce of which they subsist almost entirely. But the abundance of fur-animals in their vast forests, and the profit which they can make by selling them to the Russians, have turned a large part of their attention to the chase, of which they are often passionately fond, and which they follow with unwearied ardour and admirable skill. Accustomed from infancy to the privations incidental to their severe climate, they disregard hardships of every kind. They appear absolutely insensible to cold, and their endurance of hunger is such, as to be almost incredible.

“ Their food consists of sour cows'-milk, and mares'-milk, and of beef and horse-flesh. They boil their meat, but never roast or bake it, and bread is unknown among them. Fat is their greatest delicacy. They eat it in every possible shape—raw, melted, fresh, or spoilt. In general they regard quantity, more than quality, in their food. They grate the inner bark of the larch, and sometimes of the fir, and mix it

with fish, a little meal and milk, or by preference with fat, and make it into a sort of broth, which they consume in large quantities. They prepare from cows'-milk what is called the Jakutian butter. It is more like a kind of cheese, or of curd, and has a sourish taste. It is not very rich, and is a very good article of food eaten alone.

" Both men and women are passionately fond of smoking tobacco. They prefer the most pungent kinds, especially the Circassian. They swallow the smoke, and it produces a kind of stupefaction, which nearly resembles intoxication ; and if provoked when in this state, the consequences are dangerous. Brandy is also used, though the long inland carriage renders it extremely dear. The Russian traders know how to avail themselves of these tastes, in their traffic for furs.

" The Jakutian habitations are of two kinds. In summer they use Urossy, which are light circular tents formed of poles, and covered with birch bark, which they strip from the trees in large pieces. These strips are first softened by boiling, and are then sewed together ; the outside being white, and the inside yellow. The Urossy have a very pleasing appearance, and at a distance resemble large white canvas tents. In summer they wander about with these in search of the finest pastures ; and whilst their cattle are feeding, they are themselves incessantly employed in preparing the requisite store of winter forage.

" At the approach of winter, they occupy their warm Jurti. These are cottages formed of thin boards in the shape of a truncated pyramid, and covered thickly on the outside with branches, grass, and mud. A couple of small openings which admit a scanty light, are closed in winter by plates of ice, and in summer by fish membrane, or oiled paper. The floor is generally of beaten mud, and is sunk two or three feet below the ground ; but richer people have it raised and boarded. There are wide permanent benches round the walls, which serve for seats in the daytime, and for sleeping on at night ; and are generally partitioned off for this purpose, according to the occupants. In the middle, but rather nearest the door, is the Ischuwal, a kind of open hearth with a chimney up to the roof, where a constant fire is kept burning. Clothing, arms, and a few household articles, hang round the walls, but in general the greatest disorder and want of cleanliness prevail.

" There are usually sheds outside for the cows, which in winter are placed under cover, and fed with hay, and even brought inside the Jurti in extreme cold weather ; whereas the horses are left out to shift for themselves as well as they can during the winter, by scraping away the snow to get at the withered autumn grass. It is only when they are about to make a journey that they are given hay for a few days previously.

" The above-described habitations, though rude, are better adapted to the wants of the people, than those built after the Russian fashion, a few of which are to be seen. In the construction of the Jurti small trees may be used instead of boards, which is a great convenience ; and the continual change of air maintained by the constant fire in the

Ischuwal, tends to purify the close atmosphere, and is more wholesome than a stove.

"Every tribe of Jakuti is divided into several Nasèlji, each of which is under a chief or Knäsey, by whom minor disputes, &c. are settled. More serious cases go before the Golowä, or superintendent of the whole tribe, who is elected from amongst the Knäsey. The people often call in a Schaman or conjuror, and have recourse to his incantations to recover a strayed cow, to cure a sick person, or to get good weather for a journey, &c. &c. The Jakuti have almost all been baptized; a part of the New Testament, the Ten Commandments, and several of the rules of the Church have been translated into their language, but as yet the greater number have no idea of the principles and doctrines of Christianity; and their Schamans, and the superstitions of heathenism, retain their hold upon their minds. As a nation, they are unsocial, litigious, and vindictive."—pp. 21-24.

M. Wrangel had to cross, in his course northwards, the river Aldan, which is one of the great tributaries of the Lena. The country between Jakuyk and the Aldan is characterised by wave-like ridges, running from east to west. Between these ridges are occasionally to be met hollows of a caldron shape, forming sometimes marshes, sometimes lakes; the soil is clay mixed with sand, and the heights are usually well wooded with larch. In the distance, towards the north, appeared a range of peaked mountains, covered with snow.

The travellers had now to betake themselves at night to their travelling tents of tanned reindeer leather. The guides chose for this purpose a spot of ground between high trees, which afforded some protection from the weather; they then swept away the snow, dragged to the place so cleared the withered trunk of a tree, and set it in a blaze, that soon sent its light around far and near. A quantity of the dry branches were strewed on the ground, not far from the fire; on these was placed a layer of green branches of the dwarf cedar, and upon this fragrant bed were pitched the tents, forming three sides of a square round the fire. The guides were quite contented with the snowy ground for their beds, and their saddles for pillows. Supper consisted for the present of tea and soup. The pipes were then lighted, and the evening was passed away in listening to hunting stories and travelling adventures, which the guides are excessively fond of relating.

As the travellers proceeded northward, they had to climb many steep rocks. Trees began to disappear rapidly. The weather, however, continued favourable, and while they were engaged in threading their way through one most dangerous pass, where the summits on either side rise to the height of

1,000 feet, they were delighted by the spectacle of the ice-mantled precipices blazing, as if studded with diamonds, in the noon-day sun. Beyond this valley (the principal pass of the Werchogausk range of mountains), neither pines, fir-trees, nor aspens are to be found. Larches, however, birches, and willows, were still occasionally to be found, as far as latitude  $68^{\circ}$ .

To the north of this range the paths are much more practicable than those to the south, the ground being more free from marshes. Powarni, or cooking-houses, are established at intervals by the government. These are small huts, with mere hearths ; the smoke passes out through an aperture in the roof, after the fashion of our Irish cabins. Slate is found among the mountains in great abundance, and chiefly of a black colour.

M. Wrangel's course was now along the left bank of the Jana. The country which he traversed offered little variety ; the plains were still bare of snow, chiefly from the effect of the constant winds. At a miserable little town, called Saschiwerk, he experienced the hospitality of an excellent old clergyman, Father Michel, whose character and conduct appear to be well worthy of the admiration he has bestowed upon them :—

" At the time of our visit he was eighty-seven years of age, and had passed about sixty years here as deacon and priest, during which time he has not only baptized fifteen thousand Jakuti, Jungusi, and Jukahiri, but has really made them acquainted with the leading truths of Christianity ; and the fruits of his doctrine, his example, and his counsels, are visible in their great moral improvement. Such is the zeal of this truly venerable man for the extension of the Gospel among the inhabitants of these snowy wastes, that neither his great age, nor the severity of the climate, nor the countless other difficulties of the country, prevent his still riding above two thousand wersts a-year, in order to baptize the new-born children of his widely-scattered flock, and to perform the other duties of his sacred calling ; as well as to assist his people in every way he can, as minister, as teacher, as friend and adviser, and even as physician. Yet he sometimes finds time and strength to go to the neighbouring hills to shoot Argali and other game ; and has bestowed so much pains and skill on his little garden, that he has reared cabbages, turnips, and radishes. He placed before us sour-kraut soup, and fresh-baked rye-bread ; and his pleasure in seeing us enjoy these excellent and long untasted national dishes, was at least as great as our own. He gave us another kind of bread of his own invention. It is made of dried fish grated to a fine powder, in which state it will keep a long time, if not allowed to get

damp. Mixed with a small quantity of meal, it makes a well-tasted bread."—p. 37.

M. Wrangel having now deviated to the north-east, arrived without difficulty, on the 25th of October, on the banks of the Kolyma river. The cold was daily increasing, and troops of reindeer already began to cross his path. He and his companions quitted their horses, and took their places in narrow sledges drawn by dogs. They arrived, on the 2nd of November, at Nishne Kolymsk, a fishing village, destined to be their head-quarters for the ensuing three years.

The rivers Kolyma and Indigirka, which have courses nearly parallel to those of the Jana and the Lena, rise near each other in the Stanowof-Chrebet range of mountains, and pour their waters into the polar sea. The right bank of the Kolyma is steep; the rocks are precipitous, and often overhanging, composed of slate, rarely of granite; the slate is intersected in some places by veins of hardened clay, and sometimes interspersed with crystals of amethyst, and large specimens of rock-crystal. No fossils had been met with. Vegetation was tolerably rich. The left bank presents some pastures; but the greater part of the country on that side is an enormous tundra, that is, a moss level, extending as far as the sea. At Nishne Kolymsk, the icy covering never melts till June, and is often strong enough again towards the end of August to sustain loaded horses. The sun remains visible in that region about fifty-two days; but in consequence of its being so near the horizon, it is accompanied by little heat; the disk may be generally looked at with little inconvenience by the naked eye, and often appears to be of an elliptical form.

An uninstructed southern would suppose that it must be always day in those far northern climates, so long as the sun does not set. This, however, is not so. When the sun approaches the horizon, evening and night commence, and all is repose. When the sun gains in altitude, nature again awakes; the few little birds that dwell in those regions hail the new day, as with us; the small yellow flowers expand their petals, and every living thing rejoices in the warmer sunbeams. There are, properly speaking, only two seasons—summer and winter. The inhabitants, however, speak as we do of spring and autumn: vegetation is but a struggle for existence. In July the air is clear, and the temperature comparatively mild. Swarms of mosquitoes then darken the air, and annoy the inhabitants; but by way of compensation, those terrible insects, by attacking the reindeer at the same time, compel the

latter to quit the forests in thousands, and take refuge in the open plains, where they easily become the prey of the hunters who are waiting to receive them. The mosquitoes also act another friendly part to man, by preventing the horses from straying away in the vast plains where they feed without keepers. The natural instinct of the horse keeps him near the small villages, where he is more protected. Winter begins in September, dense fogs prevail in October, the great cold commences in November, and increases in January to such a degree that breathing becomes difficult. Then the wild reindeer, accustomed though he be to the utmost severities of the polar region, hies him back to the thickest recesses of the forests, and stands there motionless, as if deprived of life. The perpetual night of fifty-two revolutions of the earth is relieved from utter darkness by the strong refraction, and the whitened surface of the snow, as well as by frequent auroras. A pale twilight on the 28th of December announces the approach of the sun; day and night then alternate until summer, when the sun remains as before above the horizon, for its limited period. The frost is especially intense and penetrating in February and March. In winter, perfectly clear days seldom occur: then sea winds chiefly prevail, which are accompanied by continual vapours and fogs. These fogs prevail least in September. It would appear as if the sirocco sometimes reached even those distant climes; at least it often occurs that a warm wind blows thither from the south-east by south, in the very midst of winter, and suddenly raises the temperature to such a degree that the plates of ice, which are the substitutes there for glass in the windows, begin to melt. This wind seldom continues beyond twenty-four hours. Strange to say, this sort of climate is, after all, by no means prejudicial to health. Inflammation of the eyes is prevalent, by reason of the reflection of the snow, which might be counteracted by green spectacles. The singular malady called mirak, and supposed by our author to be only an extreme degree of hysteria, visits those regions, however, periodically. It is well-known throughout all northern Siberia: the persons attacked are chiefly of the female sex. The common superstition is, that it proceeds from the ghost of a much-dreaded sorceress, which is supposed to enter into and take possession of the patient. It is no doubt one of those mental epidemics alluded to in another article of this journal.

Scanty and stunted though the vegetation be in those regions, yet the currant, the black and white whortleberry, the cloud-

berry, and the aromatic dwarf crimson bramble, bloom there, and in favourable seasons bear fruit. But for the deficiencies of vegetation nature has made ample return in animal life. The upland forests abound in reindeer, elks, black bears, foxes, sables, and grey squirrels; the deserts, towards the approach of summer, teem with flights of swans, geese, and ducks, which frequent those wilds with a view to moult and build their nests in safety. "Eagles, owls, and gulls pursue their prey along the sea coast; ptarmigan run in troops amongst the bushes; little snipes are busy along the brooks, and in the morasses; the social crows seek the neighbourhood of men's habitations; and when the sun shines, one may even sometimes hear the cheerful notes of the finch and thrush." The only birds which winter there, are the ptarmigan, the common crow, the bald eagle, and the snowy owl. The snow bunting and the Kamtschatkan thrush appear early in April; the lapwing, common snipe, and ring plover, arrive later; and in May, swans, four kinds of geese, and eleven kinds of ducks make their appearance.

The perpetual dreariness of the country naturally suggests the question, what motive could have urged men originally to settle in such an ungenial climate, seeing that there were so many more agreeable regions in the south, of which they might have taken possession? The question does not of course refer to the Russians, who go thither for a while in quest of gain, but to the tribes who have continued to live there from age to age. M. Wrangel heard of an obscure saying, "that there were once more hearths of the Omoki (one of the aboriginal tribes) on the shores of the Kolyma, than there are stars in the clear sky." He adds that tumuli are to be met with, and also the remains of forts formed of trunks of trees, supposed to have belonged to the Omoki, who have now disappeared. Other tribes, once numerous and powerful, are also mentioned, which have become extinct. The question is not easy to be solved. Possibly a period existed when those regions were infinitely less objectionable than they have been within the time of history or tradition. Possibly the same motives which still induce traders to venture thither, operated even in the early ages. The descendants of the first visitors would remain there, attached by many ties to the place of their birth, and, as we have seen,

"Nature, a mother kind alike to all,  
Still grants her bliss at labour's earnest call;

With food as well the peasant is supplied,  
 On Idra's cliff, on Arno's shelvy side ;  
 And though the rocky-crested summits frown,  
 These rocks by custom turn to beds of down."

The picture drawn by Goldsmith, of the happiness that is diffused even as far as that hill which "lifts man to the storms," is fully confirmed by M. Wrangel's description of the affectionate attentions of the women to their husbands and sons, upon their return from the dangers of the chase.

" At night returning, every labour sped,  
 He sits him down the monarch of a shed,  
 Smiles by his cheerful fire, and round surveys  
 His children's looks that brighten at the blaze ;  
 While his loved partner, boastful of her hoard,  
 Displays her cleanly platter on the board ;  
 And haply, too, some pilgrim thither led,  
 With many a tale repays the nightly bed.'

The principal aboriginal races of the Kolyma circle are the Jakuti and Jukahiri.

" The dwellings of the two races are much alike. The larch trees are too small to be of use in the construction of their habitations, for which they are obliged to employ drift wood. This is carefully collected at the floods in spring, and it sometimes takes several years to accumulate the necessary timber for a house. The walls are formed in the Russian manner, the interstices being filled up with moss, and plastered with lime; a thick mound of earth is thrown up against them, reaching as high as the windows, and forming a protection against the cold. The huts are usually from twelve to eighteen feet square, and nine feet high. The roofs are flat, and covered with a considerable thickness of earth. The interior arrangement is always the same; in one corner of the room is the Jakuti Ischuwal, a kind of open fire-place made of willow-rods, plastered on both sides with a thick coat of clay. The smoke escapes by the roof. They have lately begun to make Russian stoves of hard-beaten plaster, with a chimney up to the roof. Two or three sleeping places are partitioned off, according to the wants of the family; and the remainder of the space serves for cooking, dwelling, working, and receiving guests. Wide benches are arranged around, on which reindeer skins are laid, for guests to sit and to sleep on. Household utensils, guns, bows and arrows, &c., hang round the walls. Two little windows of a foot square, or less, might give sufficient light if they had glass panes; but in summer they are made of fish membrane, and in winter of plates of ice six inches in thickness. On one side of the house is a small porch, and adjoining to it is the provision-room, made of thin

boards. There is sometimes a second fire-place in the porch. All the houses have the windows turned to the south. Both near the houses and on the roof, are scaffolds for drying fish ; and there is a small out-house for sheltering the dogs in extreme cold weather ; but they are more generally tethered outside, and bury themselves in the snow. Enclosed courts are hardly ever seen. The houses are not arranged in streets, but by accident, or at the caprice of the builder. The people do not care for baths, and those which the Government has constructed in every village, are neglected, and are generally in decay.

" Generally speaking, there is but little cleanliness. Linen is only met with among a few rich persons, who have under-garments of linen or cotton-cloth. Those in general use are made of soft reindeer skins sewed together, and are worn with the hair inside. The outside is coloured red with the bark of the alder, and the edges and sleeves are trimmed with narrow strips of beaver or river-otter skin, which they buy at rather high prices from the Ischuktschi. The trowsers are of reindeer skin. Over the fur-shirt an upper garment, called karnleja, is worn. It is made of thick tanned reindeer leather without hair, and is coloured yellow by smoke. It is closed before and behind, and a hood fastened to the back of the neck is drawn over the head on leaving the room. People of fortune have a garment of the same form for wearing in the house, made of a cotton-cloth called kitajka. The feet are covered with brown leather or black goat-skin, sewed to tops of reindeer skin with the hair on. The leather is ornamented with various devices in silk, and sometimes even embroidered with gold thread. Two long bands are crossed round the legs, and bind the boots and trowsers together. In the open air they wear a double fur cap, narrowing at the top, but deep and broad enough to cover the forehead and the cheeks. They wear besides little separate coverings for the forehead, ears, nose, and chin—these are often articles of great cost, the forehead band, especially, which being worn more for ornament than use, is adorned with all kinds of coloured and gold embroidery. When the cap is laid aside on going into a room, the forehead band is often kept on for show.

" On journeys, the kuchlanka is worn over all the above-mentioned garments. It is a wider karnleja made of double skin, and with a thick large hood ; hand-bags are sewn to the sleeves : a small opening is left on the inside, through which the hand can be drawn when required for use, and can be immediately slipped back again into protection from the cold. Instead of the house-boots, half-stockings of the skin of the young reindeer are worn ; and the torbassy, or boots, are drawn over these. In this costume one can defy the cold for a long time.

" The belt carries a large knife ; the gansa, a very small tobacco-pipe, made of brass or tin, with a short wooden tube ; a pouch containing the materials for striking a light, and the tobacco, which is mixed with finely powdered larch-wood to make it go farther.

"The Russians here smoke in the manner common to all the people of Northern Asia. They draw in the tobacco-smoke, swallow it, and allow it to escape again by the nose and ears. They speak much of the pleasurable sensation of the sort of intoxication thus produced, and maintain that this manner of smoking affords much warmth in intensely cold weather.

"The house-clothing of the women differs from that of the men, chiefly by being made of much lighter skins. Rich women use cotton or sometimes even silk-stuffs, and ornament the part about the throat with trimmings of sable or martin. They generally bind cotton or silk-handkerchiefs round their heads, and sometimes wear besides knitted night-caps, under which the married women conceal their hair, after the Russian fashion. The young girls allow theirs to hang down in a long braid, and wear a forehead band when they are more dressed than usual. Their gala-dress resembles a good deal that which was worn some twenty years since, by women of the trading-classes in Russia. The larger the flowers, and the more various the colours of the silk, and the heavier and gayer the ear-rings, the more handsome and tasteful the full-dress is considered. The traders who come to the yearly fairs know how to make their advantage of this; they bring the finery which has gone out of fashion even at Jakuyk, to the banks of the Kolyma, and sell it at high prices as the newest made."—pp. 55-58.

For further notices of the customs and manners of these tribes, (which the reader will find exceedingly interesting) we must refer to the work itself, as we must be off with our travellers. The instructions of the Admiralty were, that M. Wrangel should proceed in the first instance from his headquarters on the Kolyma towards Cape Kalagskoi, in search of a "Northern Land," (the discovery of which was the main object of the expedition) while his second in command, M. von Matiuschkin, should go further on towards Behring's Strait. Several circumstances, however, having interfered to retard the necessary preparations for the accomplishment of these instructions, M. Wrangel decided on employing the intervening time in surveying the coast eastward. He and his companions having taken their places in their sledges, drawn by dogs, quitted their head-quarters on the 19th of February, 1821, and drove rapidly over the smooth ice along the sea coast. On the 22nd their latitude was 69° 31'; their longitude 161° 44'; the variation of the needle was 13½ E. On the 24th they reached latitude 69° 38', and 164° 26' longitude, when the variation reached 17. If these figures be right, the result as to the variations of the needle is very remarkable. The coast here assumed an entirely flat appearance, only now and then interrupted by slight undulations.

The sea, as far as the eye could penetrate, presented but one unvaried surface of frozen snow, over which they travelled with considerable rapidity for several days. In the course of their journey they met with considerable piles of drift wood, which besides being very acceptable for firing, manifestly shewed that the open sea could not have been very distant. The cold constantly became more intense, and the wind was very violent. The drivers were obliged to put clothing on the dogs, and a kind of boots on their feet, to protect the animals from the extreme inclemency of the weather. The chronometer, though worn by M. Wrangel, stopped in consequence of the congelation of the oil in the works. The variation of the needle eastward still steadily increased. The auroral lights appeared to a greater or less extent almost every evening, and usually nearer to the earth than the ordinary height of the clouds. M. Wrangel states that those lights had no apparent effect on the compass. The travellers reached Cape Schelasskoi on the 5th of March, and having ascertained that from that Cape the coast treded rapidly in a south-easterly direction, they prepared for their return to head-quarters on the 7th. By the best observations they could make, they calculated the Cape to be  $70^{\circ} 03'$ . The mountains which form the promontory appeared to be about 8,000 feet high, longitude  $171^{\circ}$ ; variation of the needle 18 east. No indication was discovered of the "Northern Land" of which they had been in search. They arrived at their head-quarters on the 19th of March.

The travellers started again on the 26th of the same month, but instead of returning far in an easterly direction, they proceeded at once to the northward from the Baranou rocks, which are but a short distance from the most eastern mouth of the Kolyma. At first they had to encounter several hummocks (large rude masses) of ice, the passages between which were attended with difficulties. But after they emerged from these obstacles, they beheld stretched before them an extensive plain of ice. They took down, after a capital chase, an enormous white bear, which had shown itself from behind a small ice hill. The weather was "beautiful," the evening twilight remarkably bright, but the whole party suffered severely in their eyes from the reflection from the snow. They found a partial remedy for this inconvenience in veils of black crape, which they wore fastened over their faces; but the pain which they had often to endure, notwithstanding all they could do, was most poignant.

The optical illusions, which appear to be frequent, and curiously capricious in those regions, often conjured up before our adventurers mountains and hills, and headlands. But these appearances vanished as the travellers approached the places where they expected to find the great object of their search. Some considerable islands, or rather rocks, were met with. On the 31st of March they reached a surface of ice, upon which rapid progress became difficult, in consequence of the snow being soft, and covered with thick crusts of salt. The wind, which was from east-north-east, brought with it thick fogs, so moist that their fur clothing was soon wet through. These circumstances indicated the vicinity of open water, and their situation was every moment more hazardous as the dense mists which covered the whole horizon prevented them from seeing where they were going. To go on and to halt were equally dangerous. It is worthy of being noted, that the snow and the ice were here so saturated with salt, that they were quite undrinkable. Latitude  $70^{\circ} 53'$ .

On the 2nd of April they found three seals sleeping carelessly on the ice; the dogs rushed upon them, but the seals quickly disappeared through a hole in the ice. The ice here was "very rotten and full of salt." Latitude  $71^{\circ} 31'$ ; weather unusually mild—so much so that they preferred travelling during the night, when the air was cooler. On the 3rd they got on pretty rapidly, until they found themselves in "a deep salt moor," where it was impossible to advance. M. Wrangel says: "I examined the ice beneath the brine, and found it only five inches thick, and so rotten that it was easily cut through with a common knife." His narrative here becomes so interesting, that we must give it in his own words.

"We hastened to quit a place so fraught with danger; and after going four wersts in a S. by E. direction, we reached a smooth surface covered with a compact crust of snow. When we had gone a couple of wersts over this, I had the ice examined, and found it one foot two inches thick. The depth of the sea was twelve fathoms, and the bottom greenish mud. We halted one or two wersts further on, near some inconsiderable hummocks, where the thickness of the crust of ice and the depth of water were examined, and found the same as before. The water gushed up through the holes which had been made in the ice, and overflowed to a considerable distance in all directions, and soon imparted its bitter salt taste to the snow. When the watery particles evaporate in the sun, they leave behind a thick brine, part of which forms crystals, and part contributes to destroy the ice.

"Meanwhile the north wind increased in strength, and must have raised a considerable sea in the open water, as we heard the sound of

the agitated element beneath, and felt the undulatory motion of the thin coat of ice. Our position was at least an anxious one ; the more so, as we could take no step to avoid the impending danger. I believe few of our party slept, except the dogs, who alone were unconscious of the great probability of the ice being broken up by the force of the waves. Our latitude was  $71^{\circ} 37'$ .

" As soon as the wind fell and the weather cleared, I had two of the best sledges emptied, and placed in them provisions for twenty-four hours, with the boat and oars, some poles and boards, and proceeded northwards to examine the state of the ice : directing M. Von Matiuschkin, in case of danger, to retire with the whole party as far as might be needful, without awaiting my return.

" After driving through the thick brine with much difficulty for seven wersts, we came to a number of large fissures, which we passed with some trouble by the aid of the boards which we had brought with us. The ice was heaped up in several places in little mounds or hillocks, which, at the slightest touch, sunk into a kind of slough. This rotten ice was hardly a foot thick ; the sea was twelve fathoms deep ; the ground green mud ; the countless fissures in every direction through which the sea-water came up mixed with a quantity of earth and mud ; the little hillocks above described, and the water streaming amongst them all, gave to the field of ice the appearance of a great morass, over which we continued to advance two wersts further to the north, crossing the narrower fissures, and going round the larger ones. At last they became so numerous and so wide, that it was hard to say whether the sea beneath us was really still covered by a connected coat of ice, or only by a number of detached floating fragments, having everywhere two or more feet of water between them. A single gust of wind would have been sufficient to drive these fragments against each other, and being already thoroughly saturated with water, they would have sunk in a few minutes, leaving nothing but sea on the spot where we were standing. It was manifestly useless to attempt going further. We hastened to rejoin our companions, and to seek with them a place of greater security. Our most northern latitude was  $71^{\circ} 43'$ . We were at a distance of two hundred and fifteen wersts in a straight line from the lesser Baranon rock."—pp. 143-145.

Every fresh attempt they now made in a northerly direction, only led them to thinner coats of ice upon the sea ; they clearly heard waves rolling in the distance, and felt the masses on which they stood strongly agitated. They therefore changed their course, and proceeded in a direction due west, the extreme latitude which they had at this time reached being  $71^{\circ} 28'$ . They then resumed their former course towards the Kolyma, and employed themselves for some days in surveying the coast in that direction. On the 28th of April, they were again at Nishne Kolymsk, their old head-

quarters, where they remained until the 10th of March, 1822, when they set out upon their journey on the frozen sea.

On the 15th, M. Wrangel and his companions reached once more the Baranon rock, whence they determined to proceed in a north-easterly direction, until they should arrive in latitude of  $71\frac{1}{2}^{\circ}$  in the meridian of Cape Schelagskoi. They had now to traverse plains of ice—interrupted, however, frequently by drifted waves of snow, which much fatigued the dogs. The wind blew violently from the north-west, and the snow-drifts became thicker as they advanced. Optical illusions, somewhat akin to the mirage of the southern deserts, again seduced them into several directions to little purpose. On one occasion they all felt quite convinced that they beheld, at no great distance, a hilly country of moderate elevation. They plainly distinguished (as they imagined) valleys between the hills, and even several single rocks. Everything confirmed them in the hope of having at last reached the long-sought-for land, the object of all their toils. They hastened forward with mutual congratulations; but as the evening light altered, alas! they saw their newly-discovered land move suddenly to windward, and extend itself along the horizon, until they appeared to be in a lake wholly surrounded by mountains! This deception was repeated the following day. For several days after they had to contend with difficulties similar to those already experienced; and on the 9th of April, M. Von Matiuschkin, who had been sent on in advance of the expedition, returned and reported that he "had seen the icy sea break from its fetters: enormous fields of ice, raised by the waves into an almost vertical position, driven against each other with dreadful crash, pressed downwards by the foaming billows, and re-appearing again on the surface, covered with the torn-up green mud, which everywhere forms the bottom of the sea." M. Wrangel states the latitude where he then was at  $71^{\circ} 52'$ ; longitude, by reckoning  $3^{\circ} 23'$  east of the Baranon rocks, and the variation of the needle,  $18^{\circ} 45'$ . He does not inform us of the latitude which M. Matiuschkin had reached; it did not probably much exceed  $72^{\circ}$ .

The expedition then took a west-north-west direction. As far as the eye could reach, they saw new and impassible hummocks, and heard sounds resembling the rolling of distant thunder. Numerous columns of dark blue vapour were ascending at various points. They had here the opportunity of observing, that when the ice cracks, even in places where it was otherwise thick and solid, vaporisation immediately en-

sued, more or less dense to the view, according to the temperature of the atmosphere. The vapours usually ascended vertically in columnar shapes. On the 12th they were in latitude  $72^{\circ} 2'$ . There was a strong wind from the north, and the depth of the sea was fourteen fathoms and a half. The bottom was no longer green mud, but gravel. Despairing, therefore, of finding the object of their search in that direction, they resolved to return to the meridian of Schelagskoi, due north of which the problematical land was supposed to be situated. On the morning of the 21st of April, M. Von Matiuschkin, who had gone forward in a light sledge, again beheld "extensive open water, with fields of thin ice drifting to the east-south-east." No appearance whatever of land having presented itself in that quarter, the expedition returned once more to their head-quarters on the Kolyma.

The "last great journey" of the expedition, in their attempt to accomplish the object of their mission, was commenced on the 26th of February, 1823. They took their departure along the coast to the eastward, and on the 8th of March arrived at Cape Schelagskoi, where they met some members of a native tribe called Tschuktschi, the chieftain of whom informed them, that "between Cape Schelagskoi and Cape North (to the south-east of the former), there was a part of the coast where, from some cliffs near the mouth of a river, one might, in a clear summer's day, descry snow-covered mountains at a great distance to the north, but that it was impossible in winter to see so far." On the 21st they reached latitude  $70^{\circ} 20'$ ; longitude  $174^{\circ} 13'$ . The variation of the needle was  $21\frac{1}{2}$  east. By the light of a beautiful aurora, they continued their march until the night was far advanced. The next morning they again beheld the blue vapour, which in those regions uniformly indicated open water. On the 23rd they had clear weather, when M. Wrangel again found further progress northward impracticable.

"We climbed one of the loftiest ice-hills, whence we obtained an extensive view towards the north, and whence we beheld the wide immeasurable ocean spread before our gaze. It was a fearful and magnificent, but to us a melancholy spectacle! Fragments of ice of enormous size floated on the surface of the agitated ocean, and were thrown by the waves with awful violence against the edge of the ice-field on the farther side of the channel before us. The collisions were so tremendous, that large masses were every instant broken away, and it was evident that the portion of ice which still divided the channel from the open ocean, would soon be completely destroyed. Had we attempted to have ferried ourselves across upon one of the floating

pieces of ice, we should not have found firm footing upon our arrival. Even on our own side fresh lanes of water were continually forming and extending in every direction in the field of ice behind us. We could go no further.

"With a painful feeling of the impossibility of overcoming the obstacles which nature opposed to us, our last hope vanished of discovering the land, which we yet believed to exist. We saw ourselves compelled to renounce the object for which we had striven through three years of hardships, toil, and danger. We had done what duty and honour demanded. Further attempts would have been absolutely hopeless, and I decided to return.

"According to my reckoning, the point from which we were forced to return, is situated in  $70^{\circ} 51'$ , and  $175^{\circ} 27'$ . Our distance from the main-land in a direct line, was a hundred and five wersts, (about sixty geographical miles)."

We subjoin some observations made by M. Wrangel on the aurora borealis, which will assist in ascertaining the true origin and nature of that phenomenon :—

"1. When the streamers rise high and approach the full-moon, a luminous circle of from  $20^{\circ}$  to  $30^{\circ}$  is frequently formed round it. The circle continues for a time, and then disappears.

"2. When the streamers extend to the zenith, or nearly so, they sometimes resolve themselves into small, faintly luminous, and cloud-like patches, of a milk-white colour, and which not unfrequently continue to be visible on the following day, in the shape of white wave-like clouds.

"3. We often saw on the northern horizon, below the auroral light, dark-blue clouds, which bear a great resemblance in colour and form to the vapours which usually rise from a sudden break in the ice of the sea.

"4. Even during the most brilliant auroras, we could never perceive any considerable noise, but in such cases we did hear a slight hissing sound, as when the wind blows on a flame.

"5. The Auroras seen from Nishne Kolymsk, usually commence in the north-eastern quarter of the heavens; and the middle of the space which they occupy in the northern horizon, is generally  $10^{\circ}$  or  $20^{\circ}$  east of true north. The magnetic variation at this place is about  $10^{\circ}$  E.

"6. Auroras are more frequent and more brilliant on the sea-coast than at a distance from it. The latitude of the place does not otherwise influence them. Thus, for example, it would seem from the accounts of the Ischuktschi, that in Kolintschin island, (in  $67^{\circ} 26'$  lati-

\* The attention of our readers is directed to the exertions of Messrs. Dease and Simpson, who, on behalf of the Hudson's Bay Company, in the winter 1839-40, explored the intervals passed over by Franklin, Back, Beechy, and Richardson, and established the fact of America being an island.

tude), auroras are much more frequent and more brilliant than at Nishne Kolymsk, in latitude  $68^{\circ} 32'$ . On the coast we often saw the streamers shoot up to the zenith ; whereas this was rarely the case at Nishne Kolymsk ; nor was the light nearly so brilliant at the latter place.

" 7. The inhabitants of the coast affirm, that after a brilliant aurora, they always have a strong gale from the quarter in which it appeared. We did not observe this to be the case at Nishne Kolymsk. The difference, however, may proceed from local circumstances, which often either prevent the sea winds from reaching so far inland, or alter their direction ;—for example, it often happens that there is a strong northerly wind at Poschodsk, seventy wersts north of Kolymsk, whilst at the latter place the wind is southerly.

" 8. The finest auroras always appear at the beginning of strong gales in November and January. When the cold is more intense, they are more rare.

" 9. A remarkable phenomenon which I often witnessed, deserves to be recorded—*i. e.* when shooting stars fell near the lower portion of an auroral arch, fresh-kindled streamers instantly appeared, and shot up from the spot where the star fell.

" From some of the above remarks it may be inferred, that the freezing of the sea may be connected with the appearance of auroras. Perhaps a great quantity of electricity may be produced by the suddenly rising vapours, or by the friction of large masses of ice against each other.

" The aurora does not always occupy the higher regions of the atmosphere ; it is usually nearer the surface of the earth, and this is shown by the visible influence of the lower current of the atmosphere on the beams of the aurora. We have frequently seen the effect of the wind on the streamers as obvious as it is on clouds ; and it is almost always the wind which is blowing at the surface of the earth."—pp. 390-400.

It may be important to remark that, according to this statement, the auroras seen from Nishne Kolymsk usually commenced in the north-east quarter of the heavens ; and that the middle of the space which they occupied in the northern region was  $10^{\circ}$  or  $20^{\circ}$  east of line north. The magnetic variation at Nishne Kolymsk was about  $10^{\circ}$  east, and the greatest variation which M. Wrangel had observed in his journey eastward was  $21\frac{1}{2}^{\circ}$  east. It would appear, therefore, that the increase of the variation was intimately connected with the extension of the aurora in that direction. It should also be noted that when " the cold was most intense, the auroras were more rare,"—a fact which gives strong confirmation to the doctrine that electricity has much to do with the production of the aurora ; the electric fluid being more copiously absorbed in the colder than in the warmer regions

of the earth. The greater the cold, the greater the absorption; the greater the absorption of electricity, the less apparent the aurora.

We shall now state, as briefly as we can, the results of the exploring expedition dispatched by the United States, under the command of Lieutenant Wilkes, to the South Seas, in search of a new continent. His official report is dated from the United States ship *Vincennes*, 10th March, 1840; besides this ship, he had under his command the *Peacock*, the *Porpoise*, and the *Flying Fish*. These vessels had sailed from Sydney, New South Wales, in company, on the 24th December, 1839, with instructions "to proceed south as far as was practicable, and cruise within the Antarctic Ocean." In consequence of fogs, the ships soon parted company. On the 10th of January, 1840, Lieutenant Wilkes, being in  $61^{\circ}$  latitude south, fell in with the first icebergs, and continued to steer to the southwards as directly as numerous icebergs would permit him. On the 12th he ran into a bay of field ice, in longitude  $164^{\circ} 53'$  east, and latitude  $64^{\circ} 11'$  south, which presented a perfect barrier against his further progress in that direction. He proceeded on the 12th to the westward, working along until the 19th, when he saw land to the south and east, with many indications of being in its vicinity, such as penguins, seals, and the discolouration of the water. But an impenetrable barrier of ice prevented his nearer approach to it. On the 22nd he fell in with large clusters and bodies of ice, and innumerable ice islands, and until the 25th was in a large bay formed by ice, examining the different points in hopes of effecting an entrance to the south, but without success. He here reached latitude  $67^{\circ} 4'$ , longitude  $147^{\circ} 30'$  east, being the furthest south he had penetrated. "Appearances of distant land were seen in the eastward and westward." The dipping needles gave  $87^{\circ} 30'$  for the dip. The azimuth compass was so sluggish on the ice, that on being agitated and bearings again taken, it gave nearly three points difference, the variation being  $12^{\circ} 35'$  east. A few days afterwards, about a hundred miles further to the west, he had "no variation," and thence it rapidly increased in *westerly* variation, from which Lieutenant Wilkes concludes that when in the ice bay he could not have been very far from the south magnetic pole. On the 28th, being in latitude  $66^{\circ} 33'$ , longitude  $140^{\circ} 30'$  east, he again discovered land; on the 30th he reached a small bay, pointed by high ice cliffs and black volcanic rocks; about sixty miles of coast were in sight, extending towards the southward, of a high mountainous

character. During the last three or four days the weather was exceedingly tempestuous. He persevered, however, in his course westward. On the 9th of February, being the first clear night that he had experienced for some time, he witnessed the aurora australis; on the 12th again saw distant mountains, but unable to penetrate the barrier of ice which the coast presented; 13th at noon, longitude  $107^{\circ} 45'$  east, latitude  $65^{\circ} 11'$ , sea tolerably clear, land plainly in sight. He continued pushing through the ice until he was stopped by the fixed barrier about fifteen miles from the shore, and with little or no prospect of effecting a landing. Near him were several icebergs, coloured and stained with earth, on one of which he debarked, and obtained numerous specimens of sand, stone, and quartz. A sea leopard was seen on the ice, but the boats sent did not succeed in taking it. Interests connected with his "whaling" avocations prevented him from proceeding further in his exertions to explore the land which he had seen, and on the 21st he directed his course northward. He mentions three brilliant appearances of the aurora australis, which he had witnessed after the one already referred to. Lieutenant Wilkes concludes his report with the following observations.

"1st. From our discoveries of the land through  $40^{\circ}$  of longitude, and the observations made during this interesting cruise, with the similarity of formation and position of the ice during our close examination of it, I consider that there can scarcely be a doubt of the existence of the Antarctic continent extending the whole distance of  $70^{\circ}$  from east to west.

"2nd. That different points of the land are at times free from the ice barrier.

"3rd. That they are frequented by seal, many of which were seen, and offer to our enterprising countrymen engaged in those pursuits a field of large extent for their future operations.

"4th. That the large number of whales of different species seen, and the quantity of food for them, would designate this coast as a place of great resort for them. The fin-backed whale seemed to predominate.

"We proceeded on our cruise to the northward and eastward with strong gales, until we reached the latitude of certain islands, laid down on the charts as the Royal Company Islands, about  $6^{\circ}$  to the westward of their supposed locality; I then stood on their parallel, and passed over their supposed site, but we saw nothing of them, nor any indication of land in the vicinity: I feel confident, as far as respects their existence in or near the longitude or parallel assigned them, to assert that they do not exist.

"The last ice island was seen in latitude  $51^{\circ}$  south. A few specimens of natural history were obtained and preserved during the cruise."

This report appears to us very satisfactory with reference

to the main object of the expedition, the discovery of an antarctic continent. It is to be regretted, however, that when Lieutenant Wilkes was within fifteen miles of the land, he and some of his companions did not debark, and take a pedestrian excursion in the direction of the continent. But we suspect, although he does not openly state the fact, he had to deal with a crew very reluctantly engaged in the business of exploration, when they thought they might be much more pleasantly and profitably occupied in whaling. The French expedition, under Captain D'Urville, fell in with land at the same time (January 1840) as Lieutenant Wilkes, though they were 600 miles apart from each other—a strong confirmation of Lieutenant Wilkes' conclusions. These discoveries exhibit a continuous coast of 1700 miles.

The magnetic observations made by Lieutenant Wilkes seem to have been so loosely conducted, and his instruments for that purpose were so imperfect, that we fear no safe conclusion can be drawn from his report either of the dip or the variations. Indeed, M. Wrangel's narrative is also far from being satisfactory as to the dip and variation of the needle at the North Pole. We are happy to learn that this most interesting and important subject has been placed by government in a course of full inquiry. We have no doubt that the results will tend much not only to the progress of geographical knowledge, but to the march of all the sciences connected with what we must at present call the mysteries of the electric element\*

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\* We have been favoured with a letter from Lieutenant Stokes of H. M. S. *Beagle*, addressed to our friend, Mr. M. Walker, of the hydrographer's office, dated from Timor, as recently as the 1st of August, 1840, from which we extract a passage which will interest our readers:—" Since leaving Swan River, last April, we have examined Houtman's Abrolhos, coast opposite, and 130 miles of the north-west coast of Australia, when we were driven here for water. We have discovered nothing beyond a few mangrove creeks, and a more sterile coast is not to be found; we return to it immediately. D'Urville had sailed only a fortnight before we arrived; he has been successful in his search for land to the south; is it not strange that he should have found it between the latitude of 65° and 68°? that near Cape Horn appears to be a part of Enderby's land. Both the French ships had English crews, shipped at Hobart Town, paying them double wages; I find they have examined the south-eastern shore of New Guinea, but not the southern, therefore there is yet something new left us. I have gleaned a good deal of information about that country from the doctor of the Dutch settlement at Triton Bay, who fortunately I met here, on his way to Europe. This China business will of course bring many of our ships into these seas; the following notices of some shoals, therefore, you will be glad to get for the charts: northern entrance of Alloa Strait, lat. 8° 10' S.; a reef breaking for four miles N. 33° E. from Flat Islands; the latter is a single island joined by a narrow neck. Pulo Baby, lat. 8° 08' S. is joined to Welten Island by an extensive reef, dry at low water.

**ART. II.—*Elevation of the Cathedral Church of St. Chad, Birmingham.*** By A. W. Pugin. London: 1840.

THE revival of our ancient parochial church architecture is a subject which occupies much attention at the present time; after three centuries of demolition and neglect, the solemn structures raised by our Catholic ancestors are being gradually restored to somewhat of their original appearance,\* and buildings which but a few years since were considered as unsightly and barbarous erections of ignorant times, are now become the theme for general eulogy, and models for imitation. To the English Catholic there is no class of religious edifices of greater interest than the ancient parish churches of this country. They are admirably suited to the present wants and necessities of the Church, nor is it possible to adopt, consistently, any other models for the greater portion of our ecclesiastical buildings.

However, glorious, magnificent, and edifying as were the great cathedral and abbatial churches, wonderful monuments of piety and zeal, we cannot turn to them in our present condition as objects of imitation. To rival them is wholly out of the question; to produce a meagre and reduced copy would be little better than caricaturing past glories. They were, in fact, the crowning result of Catholic piety and zeal, when it covered the face of the land, when all hearts and hands were united in the great work of rearing piles to God. These vast and sumptuous churches were, however, only the result of a long series of humble endeavours; they were the flowers of that faith which had been sown and cultivated by other means.

It is, in fact, by parish churches, that the faith of a nation is to be sustained and nourished; in them souls are engrafted to the Church by the waters of baptism; they are the tribunals of penance, and the seats of mercy and forgiveness. In them is the holy Eucharistic sacrifice continually offered up, and the sacred body of our Lord received by the faithful; there the holy books are read, and the people in-

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\* Among these restorations, none is more deserving of praise than that of the Temple church, London. The whole of the unsightly fittings of the last century have been removed, the marble caps and shafts beautifully restored, the whole of the vaulted ceiling diapered and painted, and many of the windows are being filled with stained glass, which, in design and execution, may vie with some of the richest windows of antiquity.

structed ; they become the seat and centre of every pious thought and deed ; the pavement is studded with sepulchral memorials, and hundreds of departed faithful repose beneath the turf of the consecrated enclosures in which they stand. Each Catholic parish church is the history of the adjacent county ; the family chantry, with its baronial monuments and heraldic bearings, the churchman's brass, the crusader's tomb, the peasant's cross, the storied windows, are all evidences of a long series of men and events ; and valuable indeed are the national records furnished by many of even the humblest churches of this land ; and even now, desecrated and despoiled as they are, still is there a traditional reverence for these monuments of ancient piety left among the people.

Are not village spires, the church bells, the old porches, the venerable yew trees, the old grey towers, subjects on which writers and poets love to dwell ? and Catholic feeling has never been so obscured in this land but that many have been found to view these holy spots with pious reverence ; and what is truly consoling, the traditional form of the old buildings, although dreadfully debased and disfigured, has never been totally abandoned.\* If the English Catholic body avail themselves of this feeling of attachment to the old parish churches which exists among a great body of the people, wonderful good may be produced ; but if they neglect the means they are bound to employ to turn this feeling to the restoration of the old faith, then it will be found extremely inimical to the revival of religion.

A vast body of uninformed but excellently intentioned people, especially in agricultural districts, oppose the progress

\* There are many interesting examples of this fact to be found in England. In that stronghold of Christian architecture, Oxford, we find colleges and buildings erected during the reigns of James and Charles, with the arrangement and features of the ancient buildings. At St. John's college are some beautiful groined ceilings of a very late date. The hall of Lambeth Palace, erected since the restoration by Archbishop Juxon, has buttresses, tracery windows, battlements, a louvre, a dais with a bay window, open framed roof, and all the characteristics of a refectory of the 15th century.

At Westminster Abbey the end of the north transept was almost rebuilt in the 17th century.

The font and cover at Durham Cathedral, set up in the time of Charles 1st, are carried up to a great height with niches, buttresses, and pinnacles.

The details of all these works are debased, and Italian monstrosities appear occasionally ; but still these, and numberless other examples which might be adduced, fully prove that England long clung with a sort of lingering love to her ancient architecture.

of Catholicism from Catholic motives. They look upon the old church as the true one, they are not sufficiently instructed to draw a distinction between that same old church under Catholic or Protestant ministration, and they equally despise and avoid the dissenting conventicle, built by some independent preacher, or the *dissenting looking* conventicle, erected in fact for the celebration of the very rites for which the old church was built, but with which it does not appear to have the slightest connexion, as an admirable writer in the *British Critic* beautifully expresses himself; “Grecian temple, Catholic cathedral, Corinthian portico, Norman doorway, pilaster and pinnacle, cannot differ so much or so essentially as the notions of a church, a preaching house, and a house of prayer. If then,” he continues, “one could ensure the greatest technical accuracy in details, still if the Genevan principle of a house of God instead of the Catholic be adopted, the result must be an architectural monster.” Such is the language of one, who, although unfortunately separated from us in communion, is evidently united in taste with the ancient faithful of this land; and it is lamentable that few among us appear to feel the truth of these observations. Modern Catholics have frequently abandoned *Catholic architecture* for the *Genevan*, and even make light of this melancholy decay, and speak of the architecture of the house of God and the formation of his sanctuary, on which our Catholic ancestors bestowed the greater part of their lives and goods, as a thing indifferent, dependent on mere whim and idea. Now it is scarcely less important to adhere to the traditions of the Church as regards the arrangements of material buildings, than as to any other matters connected with the celebration of the divine mysteries; for it is impossible that these latter can be performed in accordance with the rituals and intentions of the Church, if the former are disregarded; and yet it is a melancholy fact, that even a great portion of the clergy seem utterly unconscious of the close connexion between the two.

The most ardent supporters of the modern temple or conventional style, who have cast away without the least compunction, not only the splendours but the *proprieties and essentials* of church architecture, affect great horror of what they term innovation in matters of much less importance. They regard the reduction of a shovel-ended stole to its ancient and reasonable shape, or the unstarching of a crimped surplice and restoring its graceful and ample folds, in the light of an almost mortal sin; while they sever every link between themselves

and Catholic practice and antiquity in the style and arrangement of their churches. Surely this must arise from want of due reflection or information on these matters.

Can it be imagined that the Church in all ages, would have defined with such scrupulous exactness every thing connected with the celebration of the divine office, had not such precautions been considered necessary to ensure a becoming and solemn performance of the sacred rites? The Church, moreover, appointed proper officers, such as archdeacons, and rural deans, to act under the bishop, and see that the intentions and regulations of the Church were properly carried out, and to report on the state of the various churches in the diocese.

There are yet existing visitations of the twelfth century, where the slightest defect or irregularity in the fabric or ornaments is carefully noted down, with directions for amendment; yet all these excellent regulations to preserve uniformity and discipline, established by the wisdom of the ancient Churchmen, are accounted as foolishness by many Catholics of these days. To assert the importance of adhering to ancient tradition in these matters, is sufficient to draw forth ridicule, and even censure. It is lamentable to hear the sentiments which are expressed on ecclesiastical architecture by many who should be most ardent in reviving it in all its ancient purity, but who do not even bestow as much consideration on it as on the construction of their stables. The principal part of our modern churches are the result of mere whim and caprice. Those who build them are regulated neither by ecclesiastical nor architectural authority; hence a new Catholic church is almost certain to be a perfect outrage on ecclesiastical propriety and architectural taste. It is impossible to say, before it is erected, whether the building will look most like an auction room or a methodist meeting; whether it will have any symbol of Christianity about it, or be quite plain; whether it will be a caricature of pointed or of Grecian architecture; whether it will have any characteristics of a Catholic church at all, if we except its extremely offensive appearance, which, grievous as it may be, is become a very distinguishing mark of a Catholic building.

Formerly, the word *church* implied a *particular sort of edifice invariably erected on the same principle*; it might be highly ornamented, or it might be simple; it might be large or small, lofty or low, costly or cheap, but it was arranged on

a certain regulated system. Churches built hundreds of miles apart, and with the difference of centuries in the period of their erection, would still exhibit a perfect similarity of purpose, and by their form and arrangement attest that the same faith had instigated their erections, and the same rites were performed within their walls. But now, alas, the case is widely different; anything may be built and called a church; any style, any plan, any detail. No sooner is a new building of this kind determined upon, than there is a muster of committee-men to adjust preliminaries, and decide on plans. These are men generally ignorant of every thing connected with these matters; which the result of their labours but too plainly proves. Some Protestant builder,—a matter-of-fact one-idea Roman-cement man, whose highest achievement in architectural art has been the erection of a market-house, or modernizing the front of an hotel—is not uncommonly considered as a fit and proper person to design and carry out an edifice intended for those very rites which produced the erection of every truly fine church in the land. Of course this individual, who is perfectly destitute of any idea of what the church should be like, eagerly catches at the suggestions of the committee-men, who are far from backward in having a say on these occasions. One has seen a new chapel lately opened, which he thinks extremely *neat and pretty*, but would propose that the altar should stand in a sort of alcove; a second, however, objects to this latter proposition, as he proves that those who would sit in the *last seat of the gallery could not look down on the top of the altar*; this is declared to be a fatal objection, and the altar is decided to stand against a flat wall, where it *can be well seen on three sides*. A hints that something in the Gothic style would look well; but B declares it to be all *expensive gingerbread*. C, who has been to Rome, laughs outright at such a barbarism as pointed architecture, and asks A sarcastically if he ever saw a Grecian portico; talks with equally extravagant praise of St. Peter's and the Parthenon, the two most opposite buildings in the world, and concludes with an eulogium on classical taste and refinement, and the barbarisms of the old Catholics. A ventures to reply, that there was something very grand about the old churches, notwithstanding, and offering some remarks about antiquity, is cut short by a loud laugh and general cry, “Oh, we're *all for the modern now* ;” in which the one-idea Roman-cement man heartily joins, and compels him to be silent. After some further conversation about a marble altar

from abroad, candlesticks of the newest Parisian fashion, and some other foreign novelties, the meeting separates, and a building is commenced, which in due time is finished, and opened with a band of theatricals, who, as the bills announce, have *kindly consented* to sing the praises of God—it might perhaps be added, as is sometimes seen on benefit bills (*for that day only*), which would be an additional inducement for a full audience. This is a true picture of the manner in which many Catholic churches have been, and, what is worse, are still, being built; yet, perhaps, close by such an abortion stands the old parish church of the town. Although simple in its architecture, Catholic is indelibly stamped on its venerable exterior. Heretical violence has stripped it of its most beautiful ornaments; Protestant churchwardens have sattered on its old leaded roof and spire; it is curtailed of its fair proportions, and disfigured by some unsightly modern additions, which have been tacked on to its ancient walls; yet, in spite of these memorable disadvantages, it still tells its tale,—it is Catholic from foundation to tower top. Melancholy is it to think that this venerable pile should have been alienated from the ancient faith; but thrice melancholy is it that those who should ever regard it with veneration, and strive to imitate its beauties, should pass it by unheeded and despised; and as if in mockery of its venerable grandeur, raise a conventicle-looking structure under its very walls, where the assemblage of architectural monstrosities becomes a standing proof of the degeneracy of modern times.

It is very probable that many well-disposed persons have been led to approve, or at least tolerate, these miserable erections, from a mistaken idea that nothing could be accomplished in the pointed style under an immense cost. Now so far from this being the case, *this architecture has decidedly the advantage on the score of economy*; it can be accommodated to *any materials, any dimensions, and any locality*. The erroneous opinions formed on this subject are consequent on the unfortunate results attending the labours of those who, when about to build in the pointed style, take some vast church for their model; and then, without a twentieth part of the space, or a hundredth part of the money, try to do something like it. This is certain to be a failure. Had they, on the contrary, gone and examined some edifice of antiquity, corresponding in *scale and intention to the one they wished to erect*, they would have produced a satisfactory building at a reasonable cost. Some persons seem to imagine that every pointed

church must be a cathedral or nothing: this has even been cited as a reason why the proposed new Catholic church at York should *not* be Gothic, on account of its vicinity to the cathedral. Nothing can be more absurd: no one would think for an instant of attempting to rival the extent or richness of that glorious pile; but were there not above thirty parochial churches anciently in York? and did their builders think it expedient to depart from Catholic architecture in the design, on account of the stupendous cathedral? Certainly not. There were many buildings among them, and small ones too, *equally perfect and beautiful for the purpose for which they were intended as the minster itself.* Architecture to be good must be consistent. A parish church, to contain a few hundred persons, must be very differently arranged from a metropolitan cathedral; and if this principle be understood, and acted upon, the Catholics of York may erect an edifice suitable to their present necessities, which would not be unworthy of William de Melton or Walter Skirlaw.

Churches must be regulated in their scale and decorations (as was the case formerly) by the means and numbers of the people; it being always remembered that the house of God should be as good, as spacious, as ornamented, as circumstances will allow. Many a humble village church, of rubble walls and thatched roof, has doubtless formed as acceptable an offering to Almighty God (being the utmost the poor people could accomplish) as the most sumptuous fabric erected by their richer brethren. Everything is relative; a building may be admirable and edifying in one place, which would be disgraceful in another. As long as the Catholic principle exists, of dedicating the best to God, be that great or little, the intention is the same, and the result always entails a blessing. But this does not afford the slightest ground for a pretext, urged by some wealthy persons in these days of decayed faith, that it does not matter how or where God is worshipped, and that four walls are equally well adapted for the purpose with the most solemn piles. God expects, and it is beyond contradiction His due, that we should devote to His honour and service a large portion of the temporal benefits we enjoy. While, therefore, it would be both absurd and unjust to expect more than what the station and means of persons enable them to contribute towards the erection of churches, it is a horrible scandal, and a fearful condemnation, that many persons of wealth and influence do oppose the Catholic principle, of making the house of God the centre of earthly splendour; and

instead of contributing to this great and holy work, try to excuse their conduct by urging the miserable arguments of Protestants on these matters. While for the gratification of their own personal vanity, or the indulgence of their luxury, no expense can be too profuse, it is lamentable to look around on the various buildings used for Catholic worship in this land, and to see how few among them are at all fitted, either by their arrangement or decoration, for the sacred purposes for which they are intended.

We will not speak of chapels built fifty years ago, since it may with justice be urged that those were times of persecution; but we will turn to those churches which have been raised within a few years, and without the existence of any other restrictions than those which either the miserable parsimony or ignorance of the builders have imposed on them. In London itself, what are termed the *fashionable* chapels are uglier and more inconvenient than many Protestant chapels of ease; so ill-constructed as to arrangement, as to expose the sacred mysteries to unnecessary interruptions and publicity; so confined in their dimensions, that not a hundredth part of the people can squeeze in to hear mass; so meagre in decoration, that many Protestant churches are infinitely more elegant; and yet to these places, Sunday after Sunday, will Catholics of wealth, influence, and station, be driven in their carriages; and will appear, or actually are, perfectly satisfied with the building wherein they assemble to worship God, when the very entrance halls of their dwellings are more handsomely furnished, and the sideboards of their dining rooms are ten times more costly than the altar. In many country missions the case is even more deplorable; for we may find chapels destitute not only of the ornaments, but the essentials for the holy sacrifice, and even, horrible to name, the blessed Eucharist, the fountain of grace, received in a vessel of meaner material than what is generally used for the domestic table. The altar, composed only of a few boards, neglected, decayed, and dirty; candlesticks of the commonest description, holding an almost expiring wick; trash and trumpery, in the shape of paper pots of artificial flowers, are stuck about to make up a show, and the whole presents the chilling aspect of combined neglect, bad taste, and poverty.

But there is another sort of chapel, especially in large towns, which presents an equally offensive and distressing appearance, although from different causes; in these the evil does not proceed from either poverty or neglect, but from the

ill-judged expenditure of money by pious but uninformed persons. In these places, societies of ladies are frequently formed for adorning the altar: the principal and ostensible object of such a sisterhood is admirable, but the manner in which the affair is carried out is generally lamentable. These well-meaning ladies transfer all the nicknackery of the work-room, the toilette table, and the bazaar, to the altar of God. The result is pitiable;—cut papers of various colours, pretty ribbons, china pots, darling little gimcracks, artificial flowers, all sorts of trumpery, are suffered to be intruded not only into the vicinity of the seat of most holy mysteries, but actually in the presence of the blessed sacrament itself, insulting to the majesty of religion and distracting to every well-regulated and informed mind. The pranks these well-intentioned but ill-judged devotees are allowed to practise are truly extraordinary. Their intentions are excellent; they wish to work for the good and advancement of religion, although they unknowingly hinder it, by rendering its externals childish and ridiculous in appearance. But why should not their efforts be turned into a good channel? let them embroider frontals of altars, which are susceptible of every variety of ornament and design; they should be varied for every festival, and have appropriate subjects and emblems worked on them for each. The orpheys and hoods of copes, and the crosses of chasubles, would be an ample field for the exertions of the most indefatigable needle-women; and beautiful church ornaments might they produce, if they would quit the Berlin pattern and pole-screen style, and imitate the ancient and appropriate embroidery. We are greatly indebted to the ladies of the middle ages for much beautiful church needlework; but pure taste was then generally diffused, and *all worked in accordance with the regulations and traditions of the Church*, which were strictly enforced; and we may hope that such will again be the case, when Catholic art is better and more extensively understood.

But to return: there is another class of chapels, belonging to private mansions and families, which are generally in a most disgraceful state. Often has the butler a well-furnished pantry, the housekeeper her spacious storeroom, the cook his complete *batterie de cuisine*, all, in fact, well provided, except the chapel and the chaplain: no pittance can be too small for the latter, nothing too mean or paltry for the former. There are some exceptions; but collectively they are quite unworthy of their sacred purpose: it would be invidious to name examples of either class, but we may mention

some defects nearly common to them all, and leave the application of the remarks to those who may feel deserving of them.

The origin of these private chapels may be traced to both necessity and devotion. First: necessity, which during the times of persecution precluded the possibility of the public celebration of the Divine mysteries, and obliged the priests of the Church to seek privacy and concealment: hence the houses of those families who retained the ancient faith answered the purposes of parochial churches, and thus true religion was preserved by these means throughout the land. Secondly: the devotion of pious persons, who were anxious to have the consolations of religion under their very roof. Private chapels and chaplains are undoubtedly very ancient, and it is a practice which if properly carried out cannot be too much commended. It must be admitted, however, that it is a great privilege to have the same holy rites performed under one's own roof for which the most extensive piles in Christendom have been raised. The presence of the Lord of Hosts is no ordinary honour, and yet, strange to say, these reflections, if ever they are made, seem to produce but little effect on the minds of those who ought to be most sensibly touched by them. To *keep up a chapel* in these days is considered a *merit instead of a privilege*; a man is not accounted liberal who keeps a cook to administer to his appetite, a butler to provide him drink, and, in fine, a vast number of persons to attend and supply all he requires; this all passes by, nor is it of course considered any way meritorious; but to support a chaplain to administer the sacraments—without which all food, all raiment, all wealth, all state, is utterly dead and unprofitable—is thought in these days something very great and very praiseworthy. Out on such contradiction! the world does not in all its varieties exhibit such specimens of inconsistency as are to be found between the faith and practice of modern Catholics. If a visitor of fashion announces his intention of honouring their mansions with a visit, what preparations, what uncovering of holland, what setting up of wax lights; while the most holy sacrament of our Lord's body, deserted and forlorn, is left in a mean receptacle, without lamp or honour, in some half-furnished, half-dilapidated, and decayed chamber, which the owner of the house consents to give up to God, out of his vast and sumptuous residence; and while the commonest articles of food are served up on massive silver, by footmen in costly liveries, a miserable bit of plated ware is the earthly tabernacle for the sacred body of our Lord, and a cast-off gown is considered sufficiently good for a vestment wherein

to offer up the adorable sacrifice. When a new private chapel is decided on, how often is some outhouse or adjacent stable converted into a sanctuary for the Lord of Hosts. Many private chapels have bed rooms *over* them, which is strictly forbidden; others are situated directly over the meanest offices of the house; and few indeed are there which have been arranged with the slightest reference to the sanctity of their purpose.

We cannot dismiss this part of our subject without referring to a chapel recently erected in the north, which is an instance much to be regretted of the foreign and novel ideas which exist among some of our most distinguished English catholics. Money was lavished on this building with a zeal and devotion which would have done honour to days of livelier faith; the endowment also was ample; everything was done in a fine spirit, but with most mistaken ideas of Catholic architecture. A plaster imitation of Italian design has been erected on the soil of that county which can boast a Rivaulx, a Fountains, a Beverley, a York,—a county whose face is studded with Catholic remains of every style, from the severe lancet to the elaborate perpendicular. Alas! Catholic England, how art thou fallen, when thine own children forget the land of their fathers, and leave thy most beauteous works unnoticed and despised, to catch at foreign ideas, unsuited to their country, and jarring with its national traditions.

The long exclusion of the English Catholics from the ancient ecclesiastical edifices, and the necessity which existed till lately of a foreign education, have undoubtedly produced this lamentable departure from the traditions and feelings of their ancestors. It is therefore of the highest importance to set forth the beauty and fitness of the ancient churches, and the necessity of adhering strictly to them as the models for our imitation. The majestic cathedral and celebrated ruin may occasionally arrest the attention of the modern Catholic traveller, but how few think on the interesting claims on their attention which *almost every rural church possesses!* how often do they pass unheeded the old grey tower and moss-covered chancel, when within their walls might be found many a memorial of old Catholic faith, which would not have survived the attacks of fanaticism and novelty in a more conspicuous spot. It is beyond even a doubt that the rural population of England were ardently attached to the faith of their fathers, and that but trifling changes were made in the internal decoration of the churches, till the ascendancy of the Calvinists and fanatics under Cromwell; and even in the present

day many of these ancient and holy edifices may be found tolerably perfect in their original internal arrangement.\*

We will now consider what is to be regarded as forming a complete Catholic parish church for the due celebration of the divine office and administration of the sacraments, both as regards architectural arrangement and furniture. The building should consist of a nave, with a tower or belfry. A southern porch, in which a stoup for hallowed water should be provided; at the western end of the nave, and usually in the south aisle, a stone font with a wooden cover fastened with a lock, and near it an ambry in the wall for the oleum catechumenorum and holy chrism. The chancel at the eastern end should be separated from the nave by an open screen supporting the rood and rood loft, ascended by a staircase in the wall.

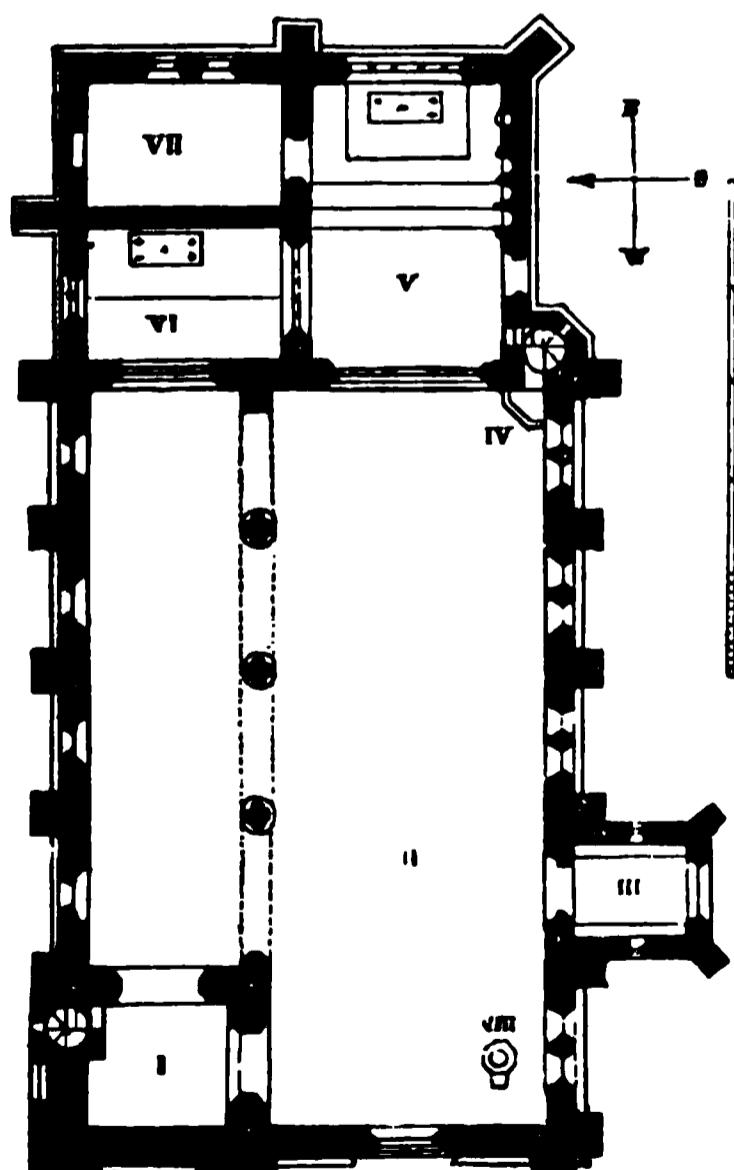
Wooden seats, with low backs, and placed wide enough apart to admit of kneeling easily, may be fixed in the nave and aisles, allowing alleys of sufficient width for the passage of processions. A stone or wooden pulpit sufficiently elevated may be erected in a convenient position in the nave.

The chancel floor should be raised at least one step above the nave, and the upper step on which the altar stands three steps above the floor of the chancel. The altar should consist of one slab of stone (marked with five crosses, and a cavity for relics) raised on solid masonry or stone pillars.

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\* Those churches which are situated in parishes too poor to admit of heavy rates, are invariably found in the best preservation. In wealthy towns, the parish churches have been considered as stock jobs, by which each ignorant shop-keeper, as he attains the office of warden, might enrich his pockets at the expense of the ancient fabric. In these buildings, the havoc which each trade has made in its turn may easily be traced. The carpenter has removed the carved and painted timbers of the roof, with the massive covering of lead, and set up a flat pitched slated covering in their stead, erected a few galleries, and *inclined planes* for seats; the painter has marbled and grained all the oak work left; while the glazier has carefully removed the stained windows, and replaced them by neat and uniform lights; the plasterer has stuccoed the chancel ceiling, and coloured down the stone work; the smith has lined the walls with stove piping, and set up a host of cast-iron furnaces; and each of these worthies is certain to record their achievements in some too legible inscription on the walls. St. Margaret's church, at Lynn, is a forcible illustration of this system. This magnificent fabric has been completely gutted of its ancient features. New roofs, new ceilings, new pavements, new pews, even plaster Italian ornaments stuck up to mask the old work. Immense sums have been expended to destroy every internal ornament and arrangement, simply on account of the town being rich enough to bear the expense of these enormities; for but a few miles from this very place are some most beautiful churches, secured by their poverty and neglect, where the carved angels yet enrich the oak-beamed roof, where the low-back sculptured benches yet remain; the fonts with their pinacled covers; the chancels divided off by the old traceried screens, on which the painted enrichments may still be descried, and so many of the ancient features left, that were it not for the unsightly reading-decks, and the decayed tables in place of the old and solemn altars, one would almost seem transported into some sacred edifice of the old time.

On the epistle side of the altar a sacrarium should be fixed, with a basin and waste pipe, with a stone shelf for the cruets. On the same side, and corresponding to the width of the three steps ascending to the altar, three niches should be built, partly in the thickness of the wall, and partly projecting, with canopies, and convenient seats for the priest, deacon, and sub-deacon. Opposite to these an arched tomb, to serve as the sepulchre for holy week. Adjoining the chancel, a sacristy or vestry for keeping the vestments and ornaments; or, in any small churches an almery may be provided for this purpose on the gospel side of the altar, within the chancel. An image of the saint in whose honour the church is dedicated, should be set up in the chancel. Where there are lateral aisles, they should be terminated towards the east by altars, either erected against the wall, and protected by open screen work, or in chapels, eastward of the aisles, divided off from the church by screens. That these arrangements may be the better understood, we have subjoined four plans of Catholic churches now erecting in exact conformity with the ancient traditions.—(See Plates I, II, III, and below).



- No. I. Tower
- II. Nave
- III. Porch
- IV. Pulpit
- V. Chancel
- VI. Chapel of the B. Virgin
- VII. Sacristy
- VIII. Font

ST. MARY'S, STOCKTON ON TEES.

Having thus generally noticed the requisites for a church, we will now proceed to consider these in detail.

## OF THE POSITION OF THE CHURCH.

A church should be so placed that the faithful face the east while at prayer. Such has been the practice of the Church from the earliest period, and very few are the examples of any deviation from this rule. The chancel should consequently be turned towards the east; and all the altars in the church should be so placed, that the celebrant, while officiating, looks towards the same quarter.\*

Independent of all Christians turning towards the same point, being a beautiful figure of the unity of the Church, those learned writers, Durandus, Gavantus, and Cardinal Bona, have adduced the following reasons for this rule:—

1. That the apostles turned towards the east while at prayer.
2. That the Holy Spirit descended on them from the east on Pentecost.
3. That we should all turn towards the Holy Land, where our Lord was born.
4. That as our Lord was the great light of the world, we should turn towards the brightest quarter of the world, as a figure of his glory.
5. That as our Lord was crucified looking towards the west, the roods, placed in the same position, face the faithful.
6. That the star appeared in the east to the three wise men at the birth of our Lord.
7. To distinguish the faithful from infidel or heretics, who, being without faith or unity, turn in any direction.
8. That according to the traditional belief of the Church, our Lord will come from the east to judge the living and the dead.

But independent of these mystical and pious reasons, the ancient and canonical position is the most judicious that could have been chosen. How beautifully do the rays of the rising sun, streaming through the brilliant eastern windows of the choir or chancel, darting their warm and cheerful light to the very extremity of the nave, correspond to the hymn appointed to be sung at prime.

“ Jam lucis ortu sidere,  
Deum precemur supplices,  
Ut in diurnis actibus  
Nos servet a nocentibus.”

\* An inspection of a plan of an old cruciform church would readily shew how strictly this principle was adhered to in the arrangement of the various altars, whether in the transepts, extremities of aisles, or lateral chapels of apses.

Then as the day advances, from the whole southern side a flood of light is poured into the building, gradually passing off towards evening, till all the glories of a setting sun immediately opposite the western window light up the nave with glowing tints, the rich effect being much increased by the partial obscurity of the choir end at the time.

Now this beautiful passage of light from sunrise to sunset, with all its striking and sublime effects, is utterly lost in a church placed in any other than the ancient position. In short, there are both mystical and natural reasons for adhering to antiquity in this practice, a departure from which can only be justified under the most urgent necessity.\*

#### OF THE CHURCHYARD.

The inclosure within which a church was erected was set apart by solemn consecration for the burial of the faithful.†

And however objectionable places for interment may be in the midst of crowded cities, still it must be allowed that nothing can be more calculated to awaken solemn and devout feelings, than passing through the resting-place of the faithful departed. How often is the pious Christian moved to pray for his deceased brother, when he sees graven on his tomb,— “Of your charity pray for my soul”? What a train of profitable reflections, what holy meditations, may not be suggested by a sepulchral cross! In days of faith, prayer formed the link of communion between the living and the departed. Truly might it be said in time of old, when such pious respect was paid to the memorials and sepulture of the dead, “Oh, grave, where is thy victory! Oh, death, where is thy sting!”

Men formerly visited and knelt by tombs and graves; now they would shun them, and try and banish them from their sight as things odious and dreadful, and in accordance with the spirit of the times, which strives to make churches like

\* We occasionally find examples of ancient churches, which, from the localities in which they have been erected, deviate from the usual position of west to east. These are, however, to be regarded as exceptions to the rule, and they can only serve as authorities for equally difficult sites.

† The first prayer in the beautiful office of the consecration of a cemetery is as follows:—

“Omnipotens Deus, qui es custos animarum et tutela salutis, et fides credentium, respice propitius ad nostræ servitutis officium, ut ad introitum nostrum purgetur bene+dicatur, sancti+ficitur, et conse+cretur hoc cœmeterium, ut humana corpora hic post vitæ cursum quiescentia, in magno judicii die simul cum felicibus animabus mereantur adipisci vitæ perennis gaudia. Per Christum Dominum nostrum. Amen.”

assembly rooms, gay and comfortable, with carriage drives and covered porticos to set down the company :—the very remembrance of death is to be excluded, lest the visitors to these places might be shocked at the sight of tombs. Hence burying the dead is become a marketable matter, a joint-stock concern, an outlay of unemployed capital; and a large pleasure-ground, sufficiently distant from the town, is staked out by some speculators; in which, according to the prospectuses issued, every religion may have a separate parterre, with any class of temple, from the synagogue to the meeting-house.

However these sort of modern arrangements may suit the unitarian and the infidel, we hope and trust the Catholic church will still be surrounded by its consecrated inclosure, with its winding path, and its tombs, where the pious Christian may recite a *De Profundis* and a *requiem*, as he wends his way to the house of prayer, and still may the branches of the solemn yew tree\* overshadow its arched porch. It was customary to erect a stone cross, raised on steps, on the south-western side of the church, to mark the hallowed ground; and the shafts of these crosses, some of which were even Saxon, still remain in various churchyards, although the upper part has almost in every instance been destroyed by Protestant fanaticism. Wooden crosses, with the name of the deceased, and an invocation for prayer painted or cut on them, were erected over the graves of the faithful, in place of the hideous upright slabs, with bad poetry, pompous inscriptions, and ludicrous cherubs, now so much in vogue. These sepulchral crosses are still set up on the Continent in villages, and such retired places as have yet remained in happy ignorance of urns, pedestals, broken pillars, and all the adopted Pagan emblems of mortality,† for which modern designers have abandoned the ancient and touching memorials of departed Christians.‡

\* The branches of yew trees served anciently for palms in the procession of Palm Sunday.

† So blindly do artists of the present day adopt the ornaments and ideas of ancient paganism, that a stuff has recently been manufactured at Lyons intended for copies, to be used in funeral offices, in which the poppy, emblem of eternal sleep, has been introduced in lieu of those appropriate figures by which the joyful mystery of the resurrection (a Christian's brightest hope) was formerly represented.

‡ In an old English office-book belonging to the Scarisbrick family of Lancashire, the illuminated borders at the office for the dead are particularly curious. The whole of the ceremonies connected with a burial service are most accurately depicted. The convoy, the hearse, and lights in the church, the celebration of the holy Eucharist, the recitation of the office, and the churchyard with the grave, are all introduced. In this latter we have a perfect delineation of the

Besides these, some graves were covered with coped slabs, gradually diminishing at the lower end, with floriated crosses sculptured on them, and the inscription cut on each side of the stems; and there are some instances of a later date, of regular altar tombs, with panelling and shields round them, having been erected in churchyards, of which there are examples at Glastonbury, Lavenham (Suffolk), and Bury St. Edmund's. Several of the Catholic churches now erecting will have cemeteries round them, disposed in the ancient manner, and from which all modern funeral monstrosities will be rigidly excluded.

#### OF THE EXTERNAL FORM AND DECORATION OF THE CHURCH.

The most striking and characteristic external feature of a church is its tower or spire. This is so attached to the popular notion of such a building, that any religious edifice wanting this essential mark would never generally receive any other appellation than that of chapel. Towers, attached to parochial churches, are most ancient in this country; they appear to have been erected from a very early period, and several Saxon examples yet remain. It is a feature of ecclesiastical architecture which the establishment never abandoned even in its most degenerate period.

A church tower is a beacon to direct the faithful to the house of God; it is a badge of ecclesiastical authority, and it is the place from whence the heralds of the solemnities of the church, the bells, send forth the summons. Let no one imagine that a tower is a superfluous expense,\* it forms an essential part of the building, and should always be provided in the plan of a parochial church.

A tower, to be complete, should be terminated by a spire: every tower during the finest periods of pointed architecture either was, or was intended, to be so finished; a spire is in fact an ornamental covering to a tower; a flat roof is contrary to every principle of the style, and it was not till the decline of the art that they were adopted. The vertical principle,

stone cross, the wooden crosses at the head of the graves, and all the interesting characteristics of an Anglo-Catholic parochial cemetery of the 15th century.

\* If funds are not sufficient, the tower may be the last part of the building completed; but due preparation should be made with regard to walls and foundations from the beginning, so that it may always be carried up when means will allow of its completion. This is the principle on which all the ancient churches were built. The *plan on which they were commenced was originally good*, and then they were gradually completed as the funds permitted.

emblematic of the resurrection, is a leading characteristic of Christian architecture, and this is nowhere so conspicuous or striking as in the majestic spires of the middle ages. The position of towers in parochial churches are various; they are generally placed at the west end of the nave, rising directly from the ground. This we will illustrate by three examples of Catholic churches now erecting;—the first is St. Giles's, Cheadle; the second the large parochial church of St. George's-in-the-fields; the third St. Oswald's, near Liverpool.—(See Plates IV, V, and VI.)

In cruciform parish churches, the tower is sometimes placed at the intersection of the nave and transepts, but of this we have no revived example at present.

We occasionally find the tower placed at the extremity of an aisle, and this expedient is usually resorted to in churches built in towns and confined situations, where there would not be sufficient space for a tower to project at the western end. Of this we give two examples;—the church of St. Wilfrid, now erecting at Hulme, near Manchester, and the church of St. Mary's, building at Stockton-on-Tees.—(See Plates VII and VIII.) To those whose ideas of architectural beauty are formed on the two and two system of modern building, this argument will appear very singular; but building for the sake of uniformity never entered into the ideas of the ancient designers; they regulated their plans and designs by localities and circumstances; they made them *essentially convenient and suitable to the required purpose, and decorated them afterwards.*

To this we owe all the picturesque effects of the old buildings: there is nothing artificial about them,—no deception,—nothing built up to make a show,—no sham doors and windows to keep up equal numbers,—their beauty is so striking because it is *natural*. The old builders did not think it necessary to build up a high wall to hide a roof, nor disguise a chimney into a flower pot; they made these essential parts of a building ornamental and beautiful; *this is the true spirit of pointed design, and until the present regular system of building both sides of a church exactly alike be broken up, no real good can be expected.* One of the greatest beauties of the ancient churches is this variety. It is impossible to see both sides of a building at once; how much more gratifying is it, therefore, to have two varied and beautiful elevations to examine, than to see the same thing repeated. A southern porch does not necessarily demand a northern one; a vestry

on one side does not require an opposite one to keep up uniformity; a chantry chapel may be erected at the extremity of one aisle, without any necessity of raising up a building to look like it at the end of the other. A tower, if the locality require it, may be built on one side or corner of a church, without any obligation of building up another opposite.\*

How many magnificent examples do we find among the ancient churches of towers placed in these positions, the entrances through them serving for southern porches. In very small churches, of exceedingly simple design, we occasionally find belfreys, in the form of perforated gables, or turreted projections, carved up at the end walls, and surmounted by

stone crosses. These sort of belfreys are frequently found in ancient chapels, of which there is a beautiful instance yet remaining at Glastonbury. Among the revived Catholic buildings, some of the smallest have belfreys of this description, of which we give for examples,—St. Mary's, on the sands, Southport, Lancashire; St. Ann's, Keighley, Yorkshire,—(for which see Plate IX); and St. Mary's, Warwick Bridge, Cumberland.

It was usual to place a small belfrey of this description on the eastern gable of most parish churches; in which the Sanctus bell was rung to warn the faithful who might be in the vicinity of the church, that the holy mysteries were being celebrated. A very rich belfry for this purpose is to be placed on the east gable of St. Giles's church, now erecting at Cheadle.

ST. MARY'S CHURCH, WARWICK BRIDGE.

faithful who might be in the vicinity of the church, that the holy mysteries were being celebrated. A very rich belfry for this purpose is to be placed on the east gable of St. Giles's church, now erecting at Cheadle.

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\* We are glad to perceive that the architect of the new Protestant church at Leeds has ventured to place his tower on the side of the building. This is certainly an advance towards better things.



## OF THE PORCH.

The next part of the sacred edifice we have to consider is the porch. It was generally built to the southward, and in the second bay of the nave from the north end; there are several examples, however, of northern porches, and some few western ones, especially in situations much exposed to the wind on the sea coast.\* Porches in England frequently consist of two stories, the upper room having been appropriated formerly to the purposes of a library, a school, or muniment room: occasionally these apartments appear to have been occupied by the sacristan, and they are sometimes provided with tracery apertures, through which the church would be watched at night.

Porches were, and ought now to be used for the following purposes:—

1. The insufflations of baptism were performed in the porch, where the child was exorcised previous to being admitted into the sacred building.

2. Women were churched in the porch after child-bearing.

3. The first part of the marriage service was performed in the porch.

4. Penitents assisted at mass in the porch during Lent.

Holy water stoups were generally hollowed out of the porch walls, and frequently built in niches on either side of the external arch, as at Bury St. Edmund's; all stoups for hallowed water should be placed *outside* the building. The custom of Christians sprinkling themselves with this water, is only a modification of the ancient custom of actually washing the hands and mouth, as an emblem of purification before prayer, which was generally practised in the early ages of the Church. It was for this purpose that large fountains and basins were placed near the entrance of great churches, many of which yet remain, as at St. Peter's at Rome, and several of the French cathedrals, Lyons, Chartres, &c. This custom among Christians is mentioned by St. John Chrysostom,† Eusebius, and

\* At Cromer church, Norfolk, there are three magnificent porches, which have been suffered to go to shameful decay. At Cley church, Norfolk, there is a beautiful western porch; also at Snettisham church in the same county. At King's Sutton church, Oxon, there is an elegant western porch of the early part of the 15th century, with effigies of the builders kneeling on each side of a niche, which anciently contained an image of the patron saint of the church.

† St. John Chrysostom in his "Homily on St. John,"—"Manus lavamus in ecclesiam ineuntes." The same in the "Homily on St. Mathew"—"In ecclesia hunc morem obtinere cernimus apud multos, ut vestibus puris in templum ineant et ut manus larent."

other writers of antiquity. Hallowed water was only taken on *entering* a church formerly, and never on leaving it. There is a regular ceremonial for presenting hallowed water to persons of distinction *on their entering* a church, but nothing of the kind was ever thought of on their departure. De Moleon, in his *Voyage Liturgique*, mentions several cathedral churches in France where the custom of taking holy water was strictly confined to entering. The original intention of this custom, which was to purify the soul *previous to commencing prayer*, having in a great measure been lost sight of, it is become usual to take the water on entering or leaving a church, indifferently. But Le Brun, who stands high as a writer on ecclesiastical or liturgical antiquities, thus speaks on this subject: “Those who are in the habit of taking hallowed water on leaving a church, are more moved to do so by the mere sight of the *bénitier* than by any consideration of the real intentions of the Church; in this matter of which (he continues) the *curés de paroisse* neglect to instruct them.”

Porches were frequently used as places of sepulture, even by persons of distinction. The great Talbot, Earl of Shrewsbury, directed his body to be buried in the porch of the parish church of Whitchurch.

From these remarks it will be seen that porches were not considered by our Catholic forefathers as mere places for scraping feet and rubbing shoes, but as a portion of the sacred edifice peculiarly devoted to the performance of solemn rites, and to be entered with due respect and reverence.

It may be proper to remark in this place, that the practice of selling books of devotion, rosaries, &c. in the porches of the churches, but too frequent on the continent, is a great abuse; such traffic is *strictly forbidden by the decrees of many synods and councils*, and those who tolerate the abuse are liable to severe ecclesiastical censures. That great champion of Catholic antiquity, Father Thiers,\* who flourished during the

\* The principal works of this great Theologian and <sup>as</sup> follows:—

1. “*Dissertation sur les Autels.*”—2. “*Dissertation sur les .....*;”— admirable work, setting forth the antiquity and intention of roods and choir screens, and denouncing those innovators who ventured to remove them during the last century, and whom he most appropriately designates as Ambonoclasts.—3. “*Dissertation sur le Clôture des Chœurs.*”—4. “*Sur les Superstitions.*” in 4 vols.; a most learned and laborious work, in which all the abuses which have existed at various times in the celebration of rites and ceremonies are separated from the decrees of the church on those matters, and forms a most edifying and interesting exposition of true Catholic practices.—5. ““*Dissertation sur les Perukes,*” in

ast century, openly denounced the chapter of Chartres cathedral for suffering two women to retail objects of devotion under the porches of that glorious church, which were intended for holy purposes; and at the time he published a most learned treatise on the use and intention of this portion of the church, and brought forward such overwhelming proofs of the irregularity of the practice, from the highest authorities, that the chapter, to their great mortification, were compelled to own their fault.

It cannot be urged in palliation of this great abuse, that the things sold are intended for holy purposes. 'The Church has decreed that *nothing whatever shall be sold, either under the porches or within the edifice.*' The dovesellers, whom our Lord cast out of the temple, traded only *in offerings*; and the profanation of the holy place is equally great by the traffic in candles, from which abuse so much scandal continually arises. We cannot, however, hope for any improvement in these respects from our foreign brethren, while they have so little feeling for the sanctity of the temple of God as to erect shoe stalls between the buttresses, and heap filth against the entrances, of the most glorious monuments of Christian antiquity. But we trust that the English Catholic churches will at least be preserved from these horrible profanations.

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which the writer treats on all the coverings of the head used in the church, mitres, caps, callottes, amices; and also the antiquity of shaving the heads of persons devoted to the clerical state; on praying with the head uncovered, and the irregularity of ecclesiastics wearing wigs or false hair.—6. "Sur la Clôture des Religieuses.—7. "Sur les Porches des Eglises."—8. "Sur la Larme de Vendôme," a false relic formerly exposed at the church of Vendôme; a beautiful treatise on the Catholic doctrine touching the veneration of relics, and the abuses of the same.—9. "Sur l'Exposition du très Saint Sacrement;" in this work the discipline of the Church relative to the reservation and veneration of the blessed Eucharist, from the earliest ages down to the last century, is fully described, with the form and materials of the various vessels used for this sacred purpose; a work admirably calculated to set forth the sanctity and majesty of this most holy sacrament, and the antiquity of the Catholic doctrine touching the blessed Eucharist.—10. "Sur un Inscription dans une Eglise de Rheims en honneur de St. François;" a censure on an extravagant inscription set up by a Franciscan in a church at Rheims in honour of St. Francis (afterwards defaced by order of the archbishop), with an exposition of Catholic doctrine relative to the veneration and invocation of saints.

Those who are thoroughly acquainted with the works of this holy and learned writer, must be well instructed in ecclesiastical antiquity; for so great was his erudition and research, that he appears to have examined every source of information on this all-important subject. His works are now exceedingly scarce, for although approved of by the holy see, he was too sincere a writer, and fearless expositor of abuses for the corrupt age in which he lived. Acting on that grand principle expressed in these words,—"falsitas non debet tolerari sub velamine pietatis,"—he became one of the greatest witnesses of Catholic truth against the innovation of revived Paganism and protestant error.

## OF THE FONT.

On proceeding through the southern porch, and entering the church, the first object that arrests our attention is the font. Nor is its position so near the entrance without a sufficient reason. We have previously remarked that the exorcisms of baptism were performed in the porch; the priest then leads the catechumen, not yet regenerated by the waters of baptism, into the church, but far removed from the seat of the holy mysteries, the chancel; nor is he allowed *to approach the sanctuary till the all important sacrament of baptism has been administered to him.*\*

The font may be made either of stone or lead, sufficiently large to admit of immersion, with a wooden cover secured by a lock, to protect the baptismal water from any profanation. These covers were occasionally carried up with canopies and pinnacles to a great height, either suspended from the roof by a counterweight, or a portion of the tabernacle work made to open on the side.†

The new fonts at St. Mary's, Derby, St. Chad's, Birmingham, and Stafford, have covers of this description, surmounted by the appropriate emblem of a dove descending with rays. The font of St. Giles's, Cheadle, will stand within an enclosed baptistry at the western end of the south aisle, and will be furnished with a richly floreated canopy of the decorated period. When the importance of the holy sacrament of baptism, and necessity of administering it with becoming solemnity is considered, it would seem almost impossible that any Catholic church should be unprovided with a regular font. It is a lamentable fact, however, that this most essential piece of church furniture is seldom to be found in modern Catholic churches,—a jug and basin, such as might be used by puritans and fanatics, being often the only substitute, and these in places where silver tea services are being subscribed for the clergyman. But the poorest church should be provided with a regular stone font, and as it is possible to erect one under £10, the expense cannot be an obstacle to their general re-

\* How often in these days of decayed discipline is the whole baptismal service performed within the sanctuary, destroying all the mystical allusions of the ancient arrangement, and admitting a soul under the curse of original sin at once into the holy of holies. This, among other departures from ancient usages, has arisen in a great measure from the impracticability of following ancient rites in the modern conventicles built for Catholic worship.

† At Sudbury church, Suffolk, Selby church, Lincolnshire, Fosdyke church, Lincolnshire, and St. Peter's, Norwich, are fine examples of canopied covered fonts. The latter is peculiarly beautiful in its design.

storation. Each of the churches engraved in this article is provided with fonts, canonically placed, corresponding in style and ornament to that of the building, and for the most part these churches have been completed for considerably less sums than the plastered and cemented assembly-rooms raised for Catholic worship in later times, which are deficient in every requisite for the sacred purpose for which they have been erected.

#### OF THE NAVE AND AISLES.

These form the portion of the edifice in which the faithful assist during the celebration of the holy mysteries. Nave is undoubtedly derived from the word *navis*, or ship, a figure often used with reference to the church. Aisle is derived from the French, and signifies wing or side, and can be only applied with propriety to the lateral portions of the building. Middle aisle is a contradiction of terms; side aisle becomes tautology. In the ancient arrangement of the faithful, the men were placed in the upper part of the nave, and the women behind at the lower end; but, by the custom of later times, the women were placed on the gospel side, and the men on the epistle. The appropriation of particular seats and distinction of places was strictly forbidden among the two classes.\* Seats were used in the *parochial* churches in England from a very early period, and many of these remain tolerably perfect at the present time. They were very low, and wide apart, for the greater convenience of kneeling, open at both ends, and sometimes most beautifully ornamented with carving.† The pulpit should be placed in some convenient part of the nave, either against a pillar, or by the chancel arch. The ancient churches were generally provided with a pulpit of wood or stone, many fine examples of which are yet to be

\* By a decree of the synod of the diocese of Exeter in 1284, no one should claim any seat in a church, but whoever first entered a church for the purpose of devotion, might chuse at his pleasure a place for praying.

† At Little Walsingham church, Norfolk, the whole of the ancient seats remain quite perfect, the backs are enriched with perforated tracery of varied design, and the ends are carried up into foliated finials.

On the seats of Warkworth church, Oxon, the creed is carved in a string course round the backs, and on the ends a representation of the Annunciation of our blessed Lady, and other mysteries, with the pious donor of the seats represented kneeling at prayer, with a scroll and a scripture.

The lords of the manor had occasionally a sort of pew, like a chantry chapel, of which there is a fine example at Lavenham church, Suffolk, and the patron of the church was usually permitted to sit within the chancel; but both these customs may be considered as departures from pure discipline.

found. It is to be remarked that the pulpits were far different from the cumbrous rostrums used for the purpose in the present day, and we need hardly observe that the monstrosity of a reading-desk is a pure Protestant introduction. In the view of the nave of Southport church, as well as Cheadle, it will be seen that the pulpits are fashioned precisely on the old models, corbeled out, and ascended by the rood stairs, and not so large as to form a prominent feature.

At the eastern end of the nave, over the great chancel arch, the Doom or Last Judgment was usually depicted. The reason for placing this awful and certain event so conspicuously before the people is too obvious to need any comment. Most of these edifying paintings were defaced, under Edward the Sixth, as superstitious, but one has been newly discovered at Coventry, which, although very late and coarse in execution, is exceedingly curious.

At the eastern end of the aisles should be small altars; that on the southern side was usually dedicated in honour of our blessed Lady.\* These altars should be protected by open screens enclosing chapels, called per closes. There are many remains of such screens and enclosures in old parish churches, but the altars have been invariably destroyed.

#### OF THE CHANCEL SCREEN, ROOD, AND ROOD LOFT.†

From the earliest ages there has been a separation between priest and people, between the sacrifice and the worshippers, in every church. They have been various in materials, in construction, and in arrangement, but have always existed in some form or other.‡ In parish churches, these screens were generally built of wood, and consisted of open tracery panels,

\* It may be proper in this place to notice a very common error, of speaking of churches and altars as being dedicated *to* such a saint. The Church has never sanctioned the dedication of a church *to any* saint; they *are all dedicated to God*, (but according to a most ancient and laudable custom), *in honour* of certain saints, by whose names they are distinguished.

† It is worthy of remark that the first rood erected in England since their destruction by act of Parliament, was set up in the private chapel of Ambrose Lisle Phillipps, Esq. of Grace Dieu Manor, a zealous restorer of Anglo-Catholic antiquity. In this chapel most solemn service is performed on Sundays and festivals, the Gradual chaunted from the Letter, and the whole office sung by men and choristers in the devotional and sublime plain chant, the only music sanctioned by the Church.

‡ In a continuation of this article, it is proposed to enter fully into the history of rood lofts, when describing the arrangements of cathedral and conventional churches, where they were used for more solemn purposes than in the parochial ones.

from about three feet from the floor, with an entrance capable of being closed by doors with open panels ; their height varies from eight to fifteen feet, according to the scale of the church, and their breadth extends the whole width of the chancel arch, or in a choir church the breadth of the nave.\* The carving on many of these screens is most varied and elaborate, and independent of the important mystical reasons for their erection, they form one of the most beautiful features of the ancient churches, and impart much additional effect to the chancel when seen through them. Like other parts of the interior, these screens were enriched with painting and gilding, and on the lower panels it was customary to figure saints and martyrs on diapered grounds.†

#### THE ROOD LOFT

Was a gallery partly resting on the screen, and running across the whole of its width, frequently supported on arched canopied work rising from the screen. The ascent to these lofts in large churches was usually by two staircases ; but in small parish churches one was considered sufficient. It was carried up either in the pier of the chancel arch, or in a small turret outside the wall, and communicated with the rood loft by a narrow gallery, of which there are several examples at Stamford. We will not refer in this place to the use of these rood lofts or *jubés* in large buildings, but confine our remarks to their purpose in parochial churches.

Their first and most important use was to serve as an elevated place from whence the holy Gospel might be sung to the people, according to a most ancient and universal practice of the Church, of singing the holy Gospel from a raised place.‡

\* Many of the large parish churches had regular choirs with stalls, as at St. Peter's, Norwich ; St. Mary's, Coventry ; Long Melford church, Suffolk. In these churches there were no arched divisions between the nave and choir, the separations consisted only in the screen and rood loft over it.

† It is not unusual for modern artists to decry the ancient system of decorating churches with much painting ; but those who raise these objections seem to forget that what is technically termed keeping, is quite as requisite in a building as in a picture. The moment colour is introduced in the windows, the rest of the ornaments must correspond, — the ceiling, the floor, all must bear their part in the general effect. A stained window in a white church is a mere spot, which, by its richness, serves only to exhibit in a more striking manner the poverty of the rest of the building.

In the old churches, the azure and gilt ceiling, the encrusted tiles of various colours, the frescoes on the walls, the heraldic charges, the costly hangings of the altars, the variegated glass, all harmonized together, and formed a splendid whole, which can only be produced by the combined effect of all these details ;— omit any of them, and the unity of the design is destroyed.

‡ The ambones of the ancient Basilicas served for this purpose.

2. The whole of the Passion of our Lord was sung from the rood loft;\* the Gradual and other parts of the mass were chaunted, and small organs fixed on the rood loft.

3. Lessons were read from the rood loft in many churches, and holy days announced to the people.

4. On great feasts, lights were set up in the rood loft, and at Christmas and Whitsuntide it was decorated with boughs and evergreens. Immediately in the centre of the loft stood the rood or cross, with an image of our Lord crucified, and on either side the blessed Virgin and St. John. The cross was usually floreated†, and terminated at the extremities with quatrefoils, and emblems of the four evangelists; on the reverse of which the four doctors of the Church were not unfrequently carved.

To illustrate these screens and roods, we have figured various churches, either completed or in course of erection.

The first is the interior of St. Mary's, Southport,‡ (See pl. X)

\* "There was a fair rood lost, with the rood, Mary and John of every side, and with a fair pair of organs standing thereby; which loft extended all the breadth of the church. And on Good Friday, a priest there standing by the rood sang the Passion."—*Records of Long Melford Church.*

† It is worthy of remark, that the ancient crosses were all richly decorated, in order to set forth that the very instrument on which our divine Redeemer suffered an ignominious death had become the emblem of his glorious victory over sin and its punishment, and should therefore be ornamented as the figure of this great triumph and our redemption. The old mystical school of Christian painters invariably figure our Lord with *extended arms* on the cross,—not through ignorance of drawing, but to represent the Son of God embracing the sins of the whole world. Not unfrequently, too, do we find the figures of the blessed Virgin and St. John much smaller in proportion than that of our Lord. This was done solely for the purpose of expressing the majesty of God. If we only examine attentively the productions of the ages of faith, we shall find that they convey a profound mystical meaning; and many conventional modes of representing the sacred things, that have been described by modern upstarts as proofs of barbarous ignorance, are in fact the most convincing proofs of the piety and wisdom of those who produced them. Their productions are addressed to the *understanding*, not merely to the *eye*, and there is more edification to be gained from a Saxon cross, with its enamelled emblems, than in all the anatomical crucifixions of modern times, in which the whole efforts of the artists appear to have been directed towards producing a distorted representation of a dying malefactor, instead of the overpowering sacrifice of the Son of God. It is much safer to treat those holy mysteries in a conventional and emblematic manner, than to aim at unattainable realities. The celebrated Crucifixion of Rubens is painful, not to say disgusting; certainly not edifying. The Christian artists have enveloped every incident of our Lord's life and suffering with a spiritual and mystical form, calculated to impress the mind with deep veneration for the sacred truths they represent. Sooner or later Christian art will be appreciated as it deserves, and the semipagan representations of the last three centuries, (in which *sacred things have only been made a vehicle to exhibit the lascivious art of modern painters*, who scrupled not, when professing to embody the blessed Virgin herself, to select their models from the profligate and abandoned) will sink into the abhorrence they deserve.

‡ This building, which possesses every requisite for a parochial church,—nave,

of which an exterior prospect is given on plate IX. This church being exceedingly small, the chancel screen is merely surmounted by the rood without any loft; the screen as well as the cross are diapered and painted from ancient examples. The second is the nave of St. Alban's church at Macclesfield, just completed. (See pl. XI.) Here is a regular rood loft, ascended from a staircase in the southern chapel, twelve feet from the chancel floor, surmounted by a cross, with the usual accompaniments. The images of this rood are of ancient German work of the 15th century, and were removed from their original position during the invasion of the French.

The eastern window seen through the screen is filled with rich stained glass, given by John the present Earl of Shrewsbury, a great benefactor to this church. In the tracery are angels, habited in albs, bearing scrolls with various scriptures, and shields with emblems of our Lord's passion; the Talbot lion is also introduced in the quatrefoils.

In the centre light is an image of St. Alban, protomartyr of England, standing under a canopy; the other lights are filled with quarried glass interspersed with emblems.

The sedilia and dossell of altar are of stone; this latter consists of a row of canopied niches, richly carved and filled with images of apostles.

On either side of the screen hang two damask curtains of crimson, and a frontal is suspended before the altar. At the end of the southern aisle is a chapel dedicated in honour of our blessed Lady, and divided off by an open screen in a stone arch. The church is capable of accommodating from eight hundred to one thousand persons, and its total cost, with the tower complete, will be about 6000*l.*

The third example is a transverse section of the great church now erecting in St. George's Fields, London (see pl. XII); shewing the great rood screen and loft,\* with the screens and chapels terminating the aisles. The width of the nave is 28 feet, the aisles 18 feet; and the length, exclusive of chancel and tower, 160 feet; the chancel will be 43 feet in depth, with stalls on either side, and the side chapel 20. The great chancel window will be filled with the genealogy of our Lord, on the root of Jesse, in rich stained glass, the gift of

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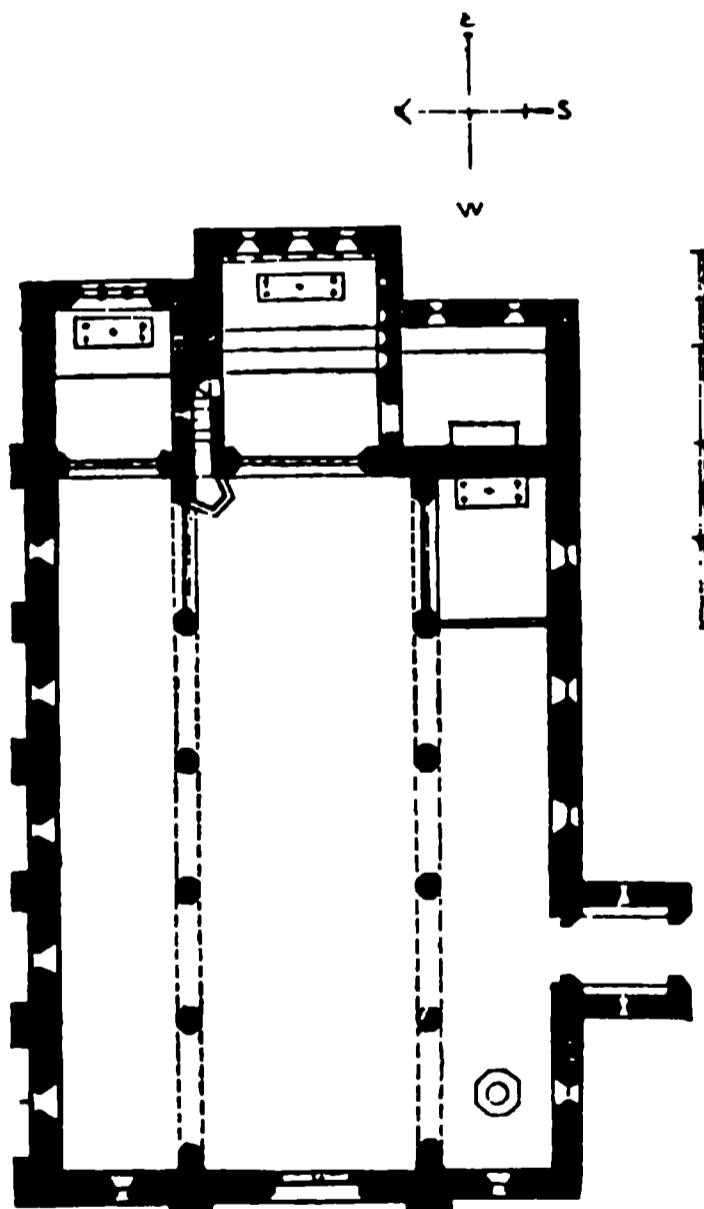
chancel, rood and screen, stone altar, sedilia, sacarium, southern porch, stoups for hallowed water, font and cover, bell, turret, organ and loft, open seats, stone pulpit, stained glass, and is capable of holding 300 persons,—has been erected for 1500*l.*, including every expense.

\* This rood loft is ascended by two staircases, which will be seen by reference to the plan. These staircases terminate outside in pinnacled turrets.

the Earl of Shrewsbury ; and every detail of the building will be carried out in the style of the time of Edward III. A great part of the church will be left open, without seats, and three thousand persons may be easily accommodated on the floor. No galleries of any description will be introduced, but all the internal arrangements will be strictly a revival of those which were anciently to be found in the large parochial churches of England.

The fourth example is a section of a small, simple, but complete, church lately erected at Dudley,\* (see pl. VII)

\* This church, which is calculated to hold six hundred parishioners in the nave and aisles, stands on a declivity on the south-east side of the castle. The sacred edifice is surrounded by a cemetery, in which a stone cross is erected, and at the western extremity of the land a small simple parsonage house is now erecting, to which will be added a school.



ST. MARY'S, DUDLEY.

The references of the plan will shew that this church possesses every canonical requisite for its sacred purpose. The eastern windows are filled with stained glass of a mosaic pattern, interspersed with emblems and subjects : in the chancel are ancient images of our blessed Lady and St. Thomas of Canterbury ; while the vestry is furnished with a complete set of sacred vessels and ornaments, of which the following is an inventory :—a processional cross, with Mary and John ; a

which will be dedicated in honour of our blessed Lady and that glorious martyr St. Thomas of Canterbury.

The fifth example is a view of the interior of St. Giles's, Cheadle, now erecting. (see pl. XIII.) Over the great chancel arch will be seen the Doom painted on the wall; at the eastern end of the aisles are screens, enclosing chapels with altars; the pulpit is placed on the gospel side of the chancel arch; the rood loft is supported by arched ribs over the screen, and is ascended by the staircase which leads to the pulpit.

This church, which is being raised at the sole charge of the Earl of Shrewsbury, will be a perfect revival of an English parish church of the time of Edward I; decidedly the best period of pointed architecture. The floor will be entirely laid with encrusted tiles; every window will be filled with painted glass; and the smallest ornaments will be finished with scrupulous regard to correctness of style. We refer the reader to the plan, and west elevation of this church, at plates I & IV; also to the engraving of the chancel, at plate XVI.

#### OF THE CHANCEL.

We now come to the place of sacrifice, the most sacred part of the edifice; and well may we exclaim, when passing beneath the image of our Redeemer, and through the separating screen of mystic import, into this holy place, "O quam terribile est locus iste." The ancient chancels were truly solemn and impressive, and those who have souls to appreciate the intentions of the old Catholic builders, must be edified with their wisdom and propriety, in keeping the seat of the holy mysteries at a reverential distance from the people, and in setting forth the dignity and privilege of the priestly office, by separating the ministers who are offering up the holy sacrifice from the worshippers. "Cancellos qui circumstant altaria presbyteri tantum et clerici ingrediantur: neque ullo modo ibi seculares maxime dum divina mysteria celebrantur admitti debent," says Merati in his *Commentaries on Gavantus*;

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holy water vat and asperge for processions; a silver gilt chalice, with an enamelled foot of the thirteenth century; a ditto ciborium, with an ancient foot; a pair of cruets; a copper gilt thurible; a pair of triple candlesticks, for the high altar; a pair of small ditto, for chapel of blessed Virgin; a small tower, for the reservation of the blessed sacrament; a basin and pricket, for a light for the high altar; a set of vestments, of each colour; an apparelled alb and a plain alb; a frontal, for the high altar; a ditto of velvet and gold embroidery, for the altar of Lady chapel; a set of altar cloths; corporal cases; an ornamented cross, for the altar. The whole cost of this building, including all the abovementioned ornaments, vestments, stained glass, architect's charges, and every expense, was 3165*l.*; which fully proves how moderate a sum a real Catholic church may be erected, if the funds are judiciously employed.

and if the mysteries of religion are to be held in reverence by the people, the old traditions and observances must be restored and enforced. Of all lamentable innovations, the wretched recesses substituted for chancels in modern churches are the most horrible ; the altars are not only crowded up by seats, but *actually overlooked*, and the sanctity of the sacrifice itself partially disregarded. If these barriers round the holy place were considered necessary in days of faith, how doubly are they wanted at the present time ! Churches are now built on exactly the same principle as theatres, to hold the greatest number of persons in the smallest possible space ; and the only difference in the arrangement is the substitution of an altar and altarpiece for the proscenium and drop scene. What is the consequence ? Catholic feeling is soon lost among the people : there is not even a corner for holy meditation or retired reflection ; they are filled and emptied like dissenting meeting houses. The worshipper is either in a mob, or in the odious and protestant distinction of a private pew. The humblest old Catholic church, mutilated as it may have been, is ten times more impressive than these staring assembly rooms, which some persons, in these days, consider the most appropriate erections for Catholic worship.

The first view of a chancel is that of St. Wilfred's church, now erecting at Hulme, near Manchester.\* (See pl. XIV.) Here the altar is of a very early form, the front being open, and the top slab supported by stone pillars, three in number, gilt and painted. Under the altar is deposited a shrine† with relics, round which a velvet curtain is occasionally drawn.‡

\* This church, as may be seen on reference to the plan, (pl. III) consists of a nave and two aisles, with a tower at north-western corner. Eight hundred persons may be seated in the body of the church, besides a considerable open space left at the lower end. The eastern chapels are divided off, by open screens, from the aisles, and also from the side arches of chancel. The font is placed near the southern porch. At the south-eastern end is the sacristy, communicating from the chapel of the blessed Virgin, and fitted up with almuries and all requisite fittings. Attached to the church, by a small cloister, is a large and commodious parsonage house for the residence of the clergy. The church, house, enclosure of ground, and all internal fittings, as well as every essential ornament for divine service, also architect's commission, will not exceed the cost of £5000.

† Shrines were very frequently placed under the ancient altars ; a custom which probably originated from celebrating on the tombs of martyrs. Under the high altar of Bayeux Cathedral, previous to the great revolution, were five shrines of silver gilt ; and the frontal of the altar, which was also of silver parcel gilt, was made to open on certain great festivals, like two doors, to shew the reliquaries.

‡ The curtains hung in front of shrines, under the ancient altars, are undoubtedly the origin of antependiums or frontals, for we find examples of such curtains in the earliest records of altars, which were made to run on a rod fixed immediately under the slab.

## *On the Present State of*

the altar is a succession of lancet stone arches, the panels  
which are richly diapered and ornamented with Christian  
trine-wheel window over them, as well as the  
, with subjects occasionally introduced in small medallion  
quatrefoils. The sedilia and sacrarium are of stone, and ta-  
out of the thickness of the wall. The eastern wall of chancel  
bar feet in thickness, and the deep splays of the windows  
I be enriched with painted scrolls, in the early style.  
A second example is the chancel of St. Mary's, Uttoxeter (see  
the ancient triptic form,\* with doors to be closed during the  
XV) a small church recently completed. Here the altar is of  
alter part of Lent; in the centre is a picture of our blessed  
Lady, copied from one of the true Christian school; on either  
side are two damask curtains, hung on rods, between which  
and the altar stand two large candlesticks to hold tapers, lit  
from the Sanctus to the Communion. The front of the altar  
is of stone, gilt and painted, with the Crucifixion in the centre,  
and the emblems of evangelists in the angles. The rood is  
here supported by an arch beam, with angels bearing tapers.  
Before the altar hang three lamps, one of which is kept con-  
stantly burning, and the other two lit during the celebration  
of mass. The sedilia are three stone recesses, divided by  
shafts, and diapered at back; opposite to these is an arched  
recess, for the sepulchre in holy week. The three lancet win-  
dows over the altar are filled with stained glass, of an early  
character, and at the western end is a rose window, very richly  
glazed.

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\* These triptics were usually placed over altars in the Continental churches;  
as at Cologne Cathedral, and several of the German churches, particularly those  
of St. Lawrence and St. Sebald's; at Nuremberg they still remain in the most  
perfect state. The old form remained in use long after the cessation of pointed  
architecture in these countries, and even down to the time of Rubens. There is  
a most splendid enamelled triptic of the twelfth century in the Museum of St.  
Mary's College, Oscott, and not unfrequently in wood and ivory carvings. In carved triptics  
for altars, the sculptured figures are placed immediately over the altar, and the  
doors are decorated with painting only: in these latter, the pious donors were  
frequently painted kneeling at prayer, with their patron saints standing behind  
them. Although these triptics were not very generally placed over altars in  
England, still we have instances of their having been used at Melford Church,  
Suffolk. "At the back of the high altar was set up the story of Christ's Passion,  
fair gilt and beautifully set forth to cover and keep clean all which were very fair  
days. In Durham Cathedral there was also, standing upon high and solemn feast  
curious fine table, with two leaves to open and shut, comprehending the Passion of  
our Lord Jesus Christ, richly cut and fine lively colours, which table was always  
locked up but on principal days." — *Rites of Durham.*

The third example is the church of St. Giles, Cheadle. (see pl. XVI.) The whole of the ceiling will be richly painted with azure panels and gilt stars; the string course supporting the ribs is charged with shields and inscriptions. In the stone niches on each side of the window are images of our blessed Lady and St. Giles. Over the altar is a stone screen of tabernacle work, with images of apostles, and our blessed Lord in the centre; on the altar are a pair of candlesticks and an altar cross, with rich hangings and frontals of various colours. The sacrarium is here formed by a fourth compartment added to the sedilia, which are surmounted by gables and pinnacles, richly foliated. On the north side is an arched tomb for the sepulchre; and the floor will be paved with encrusted tiles, charged with armorial bearings.

#### OF THE SEDILIA.

On the epistle side of the altar, either on the ascent of the steps leading up to the altar, or on the level pavement, three arched recesses are invariably built, for the officiating priest, deacon, and sub-deacon, to sit in during the chaunting of the Gloria and Credo.\* These sometimes consist of three simple arches, supported either by corbels or shafts; and occasionally we find them richly decorated with canopies and groining. In parochial churches they are generally built of stone, but in the large cathedrals and abbeys they were sometimes of wood. The four arches on the epistle side of the sanctuary of Westminster Abbey, commonly called King Sebert's Tomb, are in fact the sedilia of that church. It is not at all unusual to find a fourth stall, for the assistant priest, in great churches.

Among the most beautiful examples of sedilia, remaining in England, we may mention those at Exeter Cathedral, Southwell Minster, Ripon Cathedral, Tewkesbury Abbey, Adderbury and Dorchester Church, Oxfordshire; Bishopston, Wilts; St. Mary's, Oxford; and Stockport Church, near Manchester. These arched recesses have been frequently termed confessionals, by persons unacquainted with ecclesiastical antiquities, but we need hardly observe, without the slightest foundation. The misrepresentations made on this subject, by persons who shew cathedral and other churches, is most extraordinary. Any perforation in a wall, whether it be to admit light or air, or to command a view of the high altar from some chapel, is invariably called a confessional; even the chauncry chapel of the Beauchamp Family, at Warwick, is so designated.

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\* The priest anciently sat during the Epistle in solemn masses.

It is established even beyond a doubt, that there were no confessionals in our ancient churches answering in form to those we see generally used on the Continent : confessions were heard in the church by priests, seated in chairs, whilst the penitent knelt beside them ; this may be seen figured in many ancient illuminations. Even on the Continent no confessional can be found older than the last century, and this is alone sufficient to prove the extreme absurdity of the stories circulated by vergers and others, respecting confessionals in the ancient churches.

#### OF THE SACRARIUM.

Between the sedilia and the eastern wall of the chancel, a small niche was built, in the bottom of which a basin was hollowed out of the stone, with a pipe leading into the ground ; over this was a small projecting stone shelf for the altar cruets. The most ancient sacrairums had two basins, as may be seen by those at Salisbury and Lincoln Cathedrals ; one for the ablutions of the hands at the *Lavabo*, and the other for the ablutions of the chalice, which were not received by the priest, as at present, but poured down the sacarium.

The old rubric respecting the Lavabo is as follows : “ Eat ad Piscinam dicens Lavabo : reversus dicit In spiritu humilitatis, &c..” This is found in many ancient Missals. When the rubric for receiving the ablutions of the chalice became generally observed, the second basin was disused, and the late sacrairums have one basin only.

#### OF THE ARCH ON THE GOSPEL SIDE OF THE CHANCEL.\*

On the gospel side of the chancel, and nearly opposite the sedilia, we generally find an arch forming a recess and canopy to an altar tomb : this was used as a sepulchre for the reservation of the blessed sacrament, from Maundy Thursday till Easter Sunday morning, which was anciently practised in the Sarum rite.\* There is frequent allusion to this in the wills of pious persons, who desired to have their tombs so built that

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\* This ceremony is quite distinct from the reservation of the blessed sacrament from Maundy Thursday for the mass of Good Friday, on which day the Church does not allow of any consecration. The blessed sacrament, so reserved, is watched all night, and hence the name of sepulchre has been most improperly given to the chapel in which it is solemnly kept : bat therf is not the slightest correspondence as to time in the present watching, which takes place on Maundy Thursday night, when our Lord did not suffer till Friday. The watching, according to the Sarum rite, commenced on Good Friday, and continued till Easter-day, early in the morning, when the blessed sacrament was brought forth from the sepulchre with solemn procession. This ceremony was also practised in France and some of the Northern Countries, but there is no trace of it in the Roman rite.

they might serve for the sepulchre ; that when men came to pay their devotions to our Lord's body, at that holy time, they might be moved to pray for the repose of their souls. At Long Melford Church, Suffolk, the tomb of one of the Clopton Family served for this purpose. Some of the finest examples of stone sepulchres are at Eckington Church, Lincolnshire, and Hawton Church, Nottinghamshire ; these are richly decorated in the style of Edward III, with representations of the Roman soldiers asleep, and other appropriate imagery.

#### OF THE REVESTRY OR SACRISTY.

It is a remarkable fact, that while sacristies in most cathedral churches were placed on the south side, in parish churches they were generally built on the contrary one. We are quite at a loss to assign any reason for this ; as a southern aspect would be most suitable to prevent damp or injury to the vestments. Although most of the ancient fittings of church vestries have been destroyed, we may occasionally find a few old almeries remaining,\* but not one vestige of the rich furniture and sacred vessels with which they were filled.†

#### OF THE ALTAR.

During the first seven centuries of the church, altars were made indifferently of wood, stone, and metal.‡

Doubtless, during the early persecutions of the Christians,

\* At Adderbury Church, Oxon : Long Melford, Suffolk ; Wells Cathedral; York Minster ; in a side Chapel at Carlisle Cathedral.

† In *Lyndwood's Provinciale* we find the following inventory of ornaments required in every parish church :—“ Legenda, Antiphonarium, Graduale, Psalterium, Troperium Ordinale, Missale, Manuale, Calicem, Vestimentum Principale cum casula, Dalmatica, Tunica, et cum capa in Choro, cum omnibus suis appendiciis ; Frontale ad Magnum altare cum tribus Tuellis, tria supepellicia, unum Rochetum, Crucem Processionalem, Crucem pro Mortuis, Thuribulum, Lucernam, Tintinabulum ad deferendum coram corpore Christi in visitatione infirmorum, Pyxidem pro corpore Christi, honestum Velum Quadragesimale, Campanis cum chordis, Feretrum pro defunctis, Vas pro Aqua Benedicta, Osculatorium Candabrum pro cereo paschali, Fontem cum serura, Imagines in ecclesia, Imaginem principalem in cancello.”

To these may be added a lettern, or brass eagle, to stand in the chancel or choir, for the antiphonarium and graduals. A most beautiful brass lettern of this description was lying, only two years since, in a corner of the tower of St. Martin's Church, Salisbury, utterly neglected, and most probably considered a piece of old Popish lumber.

‡ The Emperor Constantine made seven altars of silver in the church called after his name, and that of St. John Lateran, which weighed 260lbs. Sixtus III. gave an altar of pure silver, which weighed 300lbs., to the church of St. Mary Major. St. Athanasius speaks of an altar of wood which the Arians burnt. St. Sylvester I is said to have forbidden all wooden altars, except that in St. John Lateran's (yet existing), because St. Peter had used it.

altars were generally of wood, as being more portable, and better adapted to the necessities of the times.

Since the seventh century, the use of stone altars in the church has not only been universal, but obligatory, insomuch that no priest would be allowed to celebrate without, at least, a portable altar stone.

The use of portable altar stones is very ancient ; Jonas, monk of St. Wandrille, is the first writer by whom they are mentioned, in the Life of St. Wulfran, where it is recorded that this holy man carried a consecrated stone with him to celebrate on in his travels, and afterwards gave it to the Abbey of St. Wandrille. “*Altare consecratum in quatuor angulorum locis et in medio ; reliquias continens sanctorum in modum clypei etc.*” Portable altars are also mentioned by the venerable Bede when speaking of the two Ewalds : “*Cotidie Sacrificium Deo victimæ salutaris offerebant, habentes secum vascula ad tabulam altaris vice dedicatam.*”

The use of portable altars was however confined to journeys and cases of *great necessity* ; they were *neither meant nor suffered to replace or supersede the stone altars which are required by the Church, and which should be erected in every permanent religious edifice.*

The most ancient altars were open underneath, and supported by pillars : every altar should be sufficiently detached from the wall to admit of passing behind it. The ceremonies of the consecration of an altar, in the Roman pontifical, require the bishop to pass round the altar various times. “*Pontifex circuit septies tabulam altaris aspergens eam et stipitem de aqua ultimo per eum benedicta, etc.*” That the most ancient altars were all detached from the wall is evident by the language of the early ecclesiastical writers.

Excepting during the celebration of the holy sacrifice, neither cross nor candlesticks were formerly left on the altar, but were removed immediately after mass. The book of the holy gospels was alone kept on the altar.\*

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\* It does not appear that any cross was placed on the altar before the tenth century. The crosses were fixed over the altars, and on the ciboria or canopies, by which they were surmounted : neither was the image of our Lord crucified attached to these crosses. The crucifix was, however, set up on the rood as early as the eighth century ; and it was probably on account of the blessed sacrament lying on the altar that the ancient Churchmen would not suffer an image in the presence of the reality ; even the present rubric speaks only of a cross on the altar, *crux in medio*. No lights were placed on the altar before the tenth century, and even down to the French revolution, many of the most ancient and illustrious churches of that country did not admit of any lights on the high altars, but placed

Before the twelfth century flowers were not suffered on altars, although the custom of hanging garlands and branches, on great feasts, to decorate the church, is of the highest antiquity; even the whole pavement was not unfrequently sprinkled with flowers and aromatic herbs.

It does not appear that even the relics of saints were allowed *on* the ancient altars, especially in presence of the blessed sacrament. Shrines, with relics, were placed under the altars, and on a beam over the altar.\*

The blessed sacrament was never reserved at the high altar of a church excepting in a golden dove, or pyx, suspended over the altar.† Mass was never celebrated formerly in presence of the blessed sacrament, even when enclosed in a tower or tabernacle.

round them. Wax tapers were lit in large candlesticks on each side of the altar, hung on prickets in basins before it, and in coronas, or large circles of lights, in the choir, on the *jubé* or rood loft, before images, and near shrines, but not on the altars.

\* This was the case at Canterbury cathedral.

† The custom of reserving the blessed sacrament in gold and silver doves is very ancient. Perpetuus VI, archbishop of Tours, left a silver dove to a priest, Amalarius, for this purpose, “Peristerium et columbam argenteam ad repositarium.” In the customs of the monastery of Cluny, a dove of gold is mentioned suspended over the altar in which the blessed Eucharist was reserved. This custom was retained till the revolution at the church of St. Julien d’Angers, St. Maur des Fosses, near Paris, at St. Paul, Sens, at St. Lierche, near Chartres.

“The blessed sacrament was suspended in a pyx, over the high altar at Durham abbey. Within the quire, over the high altar, hung a rich and most sumptuous canopy for the blessed sacrament to hang within it, which had two irons fastened in the French trieme very finely gilt; which held the canopy over the midst of the said high altar that the pyx hung in, that it could neither move nor stir; whereon stood a pelican all of silver, upon the height of the said canopy, very finely gilt, giving her blood to her young ones, in token that Christ gave his blood for the sins of the world; and it was goodly to behold for the blessed sacrament to hang in. And the pyx wherein the blessed sacrament hung was of most pure gold, curiously wrought of goldsmith’s work; and the white cloth that hung over the pyx was of very fine lawn, all embroidered and wrought about with gold and red silk, and four great round knobs of gold curiously wrought, with great tassels of gold and red silk hung at them; and the crook that hung within the cloth that the pyx hung upon was of gold, and the cord which drew it up and down was made of fine strong silk.”—*Rites of Durham*.

“French churches in which the blessed sacrament was suspended in a pyx, before the revolution: St. Maurile d’Angers, Cathedrale de Tours, St. Martin de Tours, St. Siran en Brenne, St. Etienne de Dijon, St. Sieur de Dijon, St. Etienne de Sens, Cathedrale de St. Julien, Mons, Nôtre Dame de Chartres, Nôtre Dame de Paris, St. Ouen de Rouen.”—*De Moleon, Voyage Liturgique*.

Matthew Paris speaks of the blessed sacrament being suspended over the high altar of the cathedral church of Lincoln.—Ad. an. 1140. *In Stephano*.

It was doubtless in allusion to these doves that St. John Chrysostom says, the sacred body of our Lord in the churches is not enveloped in linen, as in the cradle, but in the form of the *Holy Spirit*.

of which an exterior prospect is given on plate IX. This church being exceedingly small, the chancel screen is merely surmounted by the rood without any loft; the screen as well as the cross are diapered and painted from ancient examples. The second is the nave of St. Alban's church at Macclesfield, just completed. (See pl. XI.) Here is a regular rood loft, ascended from a staircase in the southern chapel, twelve feet from the chancel floor, surmounted by a cross, with the usual accompaniments. The images of this rood are of ancient German work of the 15th century, and were removed from their original position during the invasion of the French.

The eastern window seen through the screen is filled with rich stained glass, given by John the present Earl of Shrewsbury, a great benefactor to this church. In the tracery are angels, habited in albs, bearing scrolls with various scriptures, and shields with emblems of our Lord's passion; the Talbot lion is also introduced in the quatrefoils.

In the centre light is an image of St. Alban, protomartyr of England, standing under a canopy; the other lights are filled with quarried glass interspersed with emblems.

The sedilia and dossell of altar are of stone; this latter consists of a row of canopied niches, richly carved and filled with images of apostles.

On either side of the screen hang two damask curtains of crimson, and a frontal is suspended before the altar. At the end of the southern aisle is a chapel dedicated in honour of our blessed Lady, and divided off by an open screen in a stone arch. The church is capable of accommodating from eight hundred to one thousand persons, and its total cost, with the tower complete, will be about 6000*l.*

The third example is a transverse section of the great church now erecting in St. George's Fields, London (see pl. XII); shewing the great rood screen and loft,\* with the screens and chapels terminating the aisles. The width of the nave is 28 feet, the aisles 18 feet; and the length, exclusive of chancel and tower, 160 feet; the chancel will be 43 feet in depth, with stalls on either side, and the side chapel 20. The great chancel window will be filled with the genealogy of our Lord, on the root of Jesse, in rich stained glass, the gift of

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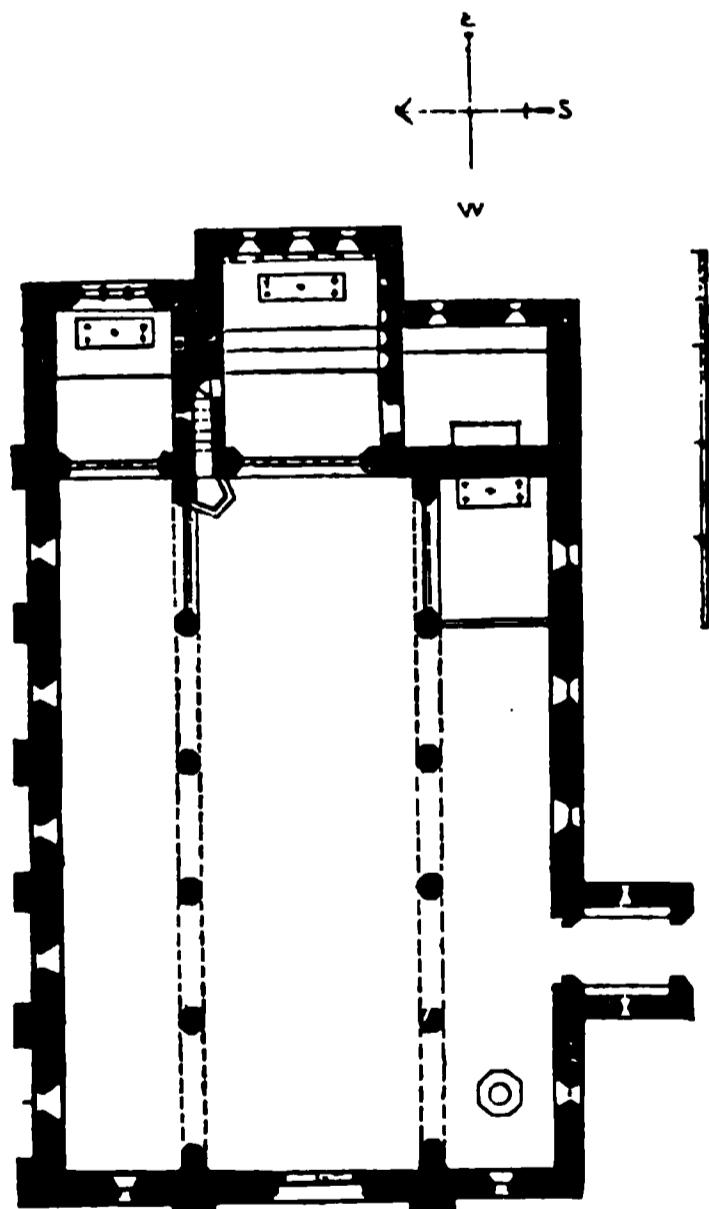
chancel, rood and screen, stone altar, sedilia, sacarium, southern porch, stoups for hallowed water, font and cover, bell, turret, organ and loft, open seats, stone pulpit, stained glass, and is capable of holding 300 persons,—has been erected for 1500*l.*, including every expense.

\* This rood loft is ascended by two staircases, which will be seen by reference to the plan. These staircases terminate outside in pinnacled turrets.

the Earl of Shrewsbury ; and every detail of the building will be carried out in the style of the time of Edward III. A great part of the church will be left open, without seats, and three thousand persons may be easily accommodated on the floor. No galleries of any description will be introduced, but all the internal arrangements will be strictly a revival of those which were anciently to be found in the large parochial churches of England.

The fourth example is a section of a small, simple, but complete, church lately erected at Dudley,\* (see pl. VII)

\* This church, which is calculated to hold six hundred parishioners in the nave and aisles, stands on a declivity on the south-east side of the castle. The sacred edifice is surrounded by a cemetery, in which a stone cross is erected, and at the western extremity of the land a small simple parsonage house is now erecting, to which will be added a school.



ST. MARY'S, DUDLEY.

The references of the plan will shew that this church possesses every canonical requisite for its sacred purpose. The eastern windows are filled with stained glass of a mosaic pattern, interspersed with emblems and subjects : in the chancel are ancient images of our blessed Lady and St. Thomas of Canterbury ; while the vestry is furnished with a complete set of sacred vessels and ornaments, of which the following is an inventory :—a processional cross, with Mary and John ; a

which will be dedicated in honour of our blessed Lady and that glorious martyr St. Thomas of Canterbury.

The fifth example is a view of the interior of St. Giles's, Cheadle, now erecting. (see pl. XIII.) Over the great chancel arch will be seen the Doom painted on the wall; at the eastern end of the aisles are screens, enclosing chapels with altars; the pulpit is placed on the gospel side of the chancel arch; the rood loft is supported by arched ribs over the screen, and is ascended by the staircase which leads to the pulpit.

This church, which is being raised at the sole charge of the Earl of Shrewsbury, will be a perfect revival of an English parish church of the time of Edward I; decidedly the best period of pointed architecture. The floor will be entirely laid with encrusted tiles; every window will be filled with painted glass; and the smallest ornaments will be finished with scrupulous regard to correctness of style. We refer the reader to the plan, and west elevation of this church, at plates I & IV; also to the engraving of the chancel, at plate XVI.

#### OF THE CHANCEL.

We now come to the place of sacrifice, the most sacred part of the edifice; and well may we exclaim, when passing beneath the image of our Redeemer, and through the separating screen of mystic import, into this holy place, "O quam terribile est locus iste." The ancient chancels were truly solemn and impressive, and those who have souls to appreciate the intentions of the old Catholic builders, must be edified with their wisdom and propriety, in keeping the seat of the holy mysteries at a reverential distance from the people, and in setting forth the dignity and privilege of the priestly office, by separating the ministers who are offering up the holy sacrifice from the worshippers. "Cancellos qui circumstant altaria presbyteri tantum et clericis ingrediantur: neque ullo modo ibi seculares maxime dum divina mysteria celebrantur admitti debent," says Merati in his *Commentaries on Gavantus*;

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holy water vat and asperge for processions; a silver gilt chalice, with an enamelled foot of the thirteenth century; a ditto ciborium, with an ancient foot; a pair of cruets; a copper gilt thurible; a pair of triple candlesticks, for the high altar; a pair of small ditto, for chapel of blessed Virgin; a small tower, for the reservation of the blessed sacrament; a basin and pricket, for a light for the high altar; a set of vestments, of each colour; an apparelled alb and a plain alb; a frontal, for the high altar; a ditto of velvet and gold embroidery, for the altar of Lady chapel; a set of altar cloths; corporal cases; an ornamented cross, for the altar. The whole cost of this building, including all the abovementioned ornaments, vestments, stained glass, architect's charges, and every expense, was 3165*l.*; which fully proves how moderate a sum a real Catholic church may be erected, if the funds are judiciously employed.

and if the mysteries of religion are to be held in reverence by the people, the old traditions and observances must be restored and enforced. Of all lamentable innovations, the wretched recesses substituted for chancels in modern churches are the most horrible ; the altars are not only crowded up by seats, but *actually overlooked*, and the sanctity of the sacrifice itself partially disregarded. If these barriers round the holy place were considered necessary in days of faith, how doubly are they wanted at the present time ! Churches are now built on exactly the same principle as theatres, to hold the greatest number of persons in the smallest possible space ; and the only difference in the arrangement is the substitution of an altar and altarpiece for the proscenium and drop scene. What is the consequence ? Catholic feeling is soon lost among the people : there is not even a corner for holy meditation or retired reflection ; they are filled and emptied like dissenting meeting houses. The worshipper is either in a mob, or in the odious and protestant distinction of a private pew. The humblest old Catholic church, mutilated as it may have been, is ten times more impressive than these staring assembly rooms, which some persons, in these days, consider the most appropriate erections for Catholic worship.

The first view of a chancel is that of St. Wilfred's church, now erecting at Hulme, near Manchester.\* (See pl. XIV.) Here the altar is of a very early form, the front being open, and the top slab supported by stone pillars, three in number, gilt and painted. Under the altar is deposited a shrine† with relics, round which a velvet curtain is occasionally drawn.‡

\* This church, as may be seen on reference to the plan, (pl. III) consists of a nave and two aisles, with a tower at north-western corner. Eight hundred persons may be seated in the body of the church, besides a considerable open space left at the lower end. The eastern chapels are divided off, by open screens, from the aisles, and also from the side arches of chancel. The font is placed near the southern porch. At the south-eastern end is the sacristy, communicating from the chapel of the blessed Virgin, and fitted up with almuries and all requisite fittings. Attached to the church, by a small cloister, is a large and commodious parsonage house for the residence of the clergy. The church, house, enclosure of ground, and all internal fittings, as well as every essential ornament for divine service, also architect's commission, will not exceed the cost of £5000.

† Shrines were very frequently placed under the ancient altars ; a custom which probably originated from celebrating on the tombs of martyrs. Under the high altar of Bayeux Cathedral, previous to the great revolution, were five shrines of silver gilt ; and the frontal of the altar, which was also of silver parcel gilt, was made to open on certain great festivals, like two doors, to shew the reliquaries.

‡ The curtains hung in front of shrines, under the ancient altars, are undoubtedly the origin of antependiums or frontals, for we find examples of such curtains in the earliest records of altars, which were made to run on a rod fixed immediately under the slab.

priate emblems near the blessed Eucharist, for they have ever been used by the Church as marks of honour, and figures of the brightness and glory of God: and even these require much judgment in their distribution, inclining more on the side of humble simplicity than of pretension towards an unattainable end; and (like the painter, who, unable to represent the intense grief of the human mind, covered the visage of his figure), confess our inability to *embody* our veneration for the adorable mystery, and substitute for ornament a veil.

It is proper to remark, that all the altars in the churches of which we have given engravings, have been erected and decorated with scrupulous regard to the ancient tradition.

We fear we cannot assert, from the examples which we have brought forward, that the English Catholics, as *a body*, are reviving Catholic architecture, for such is unhappily far from the case at present; but we have brought forward sufficient examples to shew that it is *quite possible for them, in the nineteenth century, to revive the ecclesiastical glories of the days of faith*, and it is merely owing to their energies not being sufficiently directed to this important object, that much greater restorations are not achieved. If the piety, faith, and zeal of bygone times are revived, then equal results will soon be attained. There is, at the present time, a great and increasing feeling of admiration for old Catholic art; and among those who have greatly contributed to revive this love of Catholic antiquity, are certain learned members of the Establishment, resident at Oxford; whose endeavours, in this cause, entitle them to the respect and gratitude of all who are anxious to behold a restoration of our ancient solemn churches. Some papers which have appeared in the *British Critic* on this subject, have been written by one who truly feels the principles which actuated the ancient builders in their designs. So much respect indeed do we entertain for the writer in question, that we are pained in being compelled to act as his opponent, although it be only for a time: still the *exclusive* tone he has assumed is so fallacious, that it becomes a duty to point out the inconsistency of it. We repeat we are truly grateful for all the Oxford men have done, and are doing, towards the revival of Catholic art and antiquity: still, hampered as they are by parliamentary restrictions, and their Protestant associates, they can accomplish but little in these respects, compared with what a handful of English Catholics have done who work on the ancient foundation.

We both descend from ancestors who professed one faith

as members of the old Catholic Church of England. The Establishment are the many who, converted by political intriguers, avaricious and ambitious men, abandoned the faith of their fathers, and received parliamentary enactments for the decrees of the church. The English Catholics are the few who remained witnesses of the truth, under the severest trials of persecution.

The Establishment, although she started strong and mighty, is now miserably fallen ; she has existed long enough to suffer the most bitter degradations at the hands of her own nominal children : and having lost the hearts and controul of the people—distracted by dissensions—betrayed by false brethren—the learned and pious of her communion look back with longing regret on the happy state of England's Church, ere political intriguers had forced it into schism, and separated it from the communion of the Christian world. Under these circumstances we should have hoped, and expected, that the feeling of deep humility (so beautifully expressed in an article on the church service in the *British Critic*) would have influenced the tone of the writer on church architecture ; but this, we are sorry to perceive, is far from the case. We cannot understand how a church in the old English style, erected by the descendants of those who retained the practice of the old rites, can be a *painful object*\* to one *professing Catholic principles* ; nor why he should be *edified* (even supposing such were the case) that the new Catholic church and dissenting meeting-house were built in the same manner: unless he were influenced by party feelings, such a falling off should cause his sincere grief. Far be it from us to exult at the abortions raised by the Establishment for her worship ; it is on the contrary a subject of deep lamentation, that any persons whose ancestors were members of the Catholic Church should have so wofully deserted from the spirit of antiquity. And on the other hand, when we behold even the intention of restoring Catholic architecture and practices, we are both edified and thankful that such feelings should exist.

We are willing to admit that the modern externals of Catholicism in this country are but little calculated to impress a casual observer with feelings of religious veneration, but as the English Catholics have been driven from every ancient church, and cut off from old associations, their present condition, in these respects, is less astonishing than that of the

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\* "This is indeed a *painfully* beautiful structure."

members of the Establishment, who, with the glories of the old edifices continually before them, have not only departed from every ancient practice, but have defaced and destroyed, in a great measure, the most beautiful portions of these venerable edifices.

It is true that the feelings of many of her children are Catholic, but the Establishment is decidedly Protestant. How would the parochial churches, in their present state, bear the test of an old English episcopal visitation? A solitary surplice and tattered prayer book would but ill answer to the long catalogue of sacred vessels and ornaments extracted from *Lyndwood's Provinciale*. The unoccupied sedilia; the broken sacrarium; the defaced screen, denuded of its emblem of redemption; the dismounted altar stone, trampled under foot; the damp and mouldering chancel; the broken window and upturned brass, would but ill exhibit that love of Anglican rites, which the writer would fain usurp as the exclusive feeling of the Establishment: and yet this is the state of almost every church in the country, which is not fortunate enough to have an Oxford man for its incumbent: and then, however good may be his intentions, he is so restricted and controlled, that he can do little more than remove some coats of whitewash, and open a blocked-up arch and window. It is a fact, and we say it in sorrow-- not exultation, that there is not a single church, in the possession of the Establishment, where *any* of the old Anglican rites are preserved. There is a great deal written respecting them, it is true, but where are the actual results? Do the clergy celebrate in the ancient vestments? Do they burn lights on the altars and near the tombs of the martyrs? Do they venerate the remains of the saints? Do they place hallowed water in the porches of the churches? Are the roods rested over the screens? Are the sedilia occupied by the clergy? For these are all practices of remote antiquity. It is a striking fact, that *Anglican* rites were in use in the Church in England only so long as she retained her canonical obedience to the holy see, and ceased with her schism.

A paper has recently appeared, on the Anglo-catholic use of two lights at the altar, the object of which is excellent; but it is well known that this disuse of the Anglo-catholic practice is *exactly coeval* with the formation of the present establishment, as they were utterly disused after the short-lived reign of the first book of common prayer. We had in England, from Saxon times downwards, our own missals, rituals, benedictionals, offices, litanies, which included among the most

ancient Catholic rites, *some exclusively English*, with vast privileges ; and yet all these Anglican rites were abolished to introduce *Lutheran and Genevan discipline*, when *England's Church was brought under the yoke of foreign sectaries*, by the so-called reformers of the sixteenth century. And if these Anglican rites have in some respects been suspended amongst us, who are the remnant of the old faith, is it not owing to our having been so deserted and persecuted by our Protestant countrymen that we have been too depressed and divided to keep up the externals and practice of a Church ? But, however we may fall short in these respects when compared with the glories of ancient days, we are still wonderfully in advance of the members of the Establishment, who, still writhing under the evil influence of a Peter Martyr and John a Lasco, are unable to revive a single practice of Anglo-catholic antiquity. It ill becomes them to speak in a taunting manner of our deficiencies in these respects, and to make extravagant deductions from accidental contingencies ; we allude particularly to the observations made on the position of the church at Derby.\*

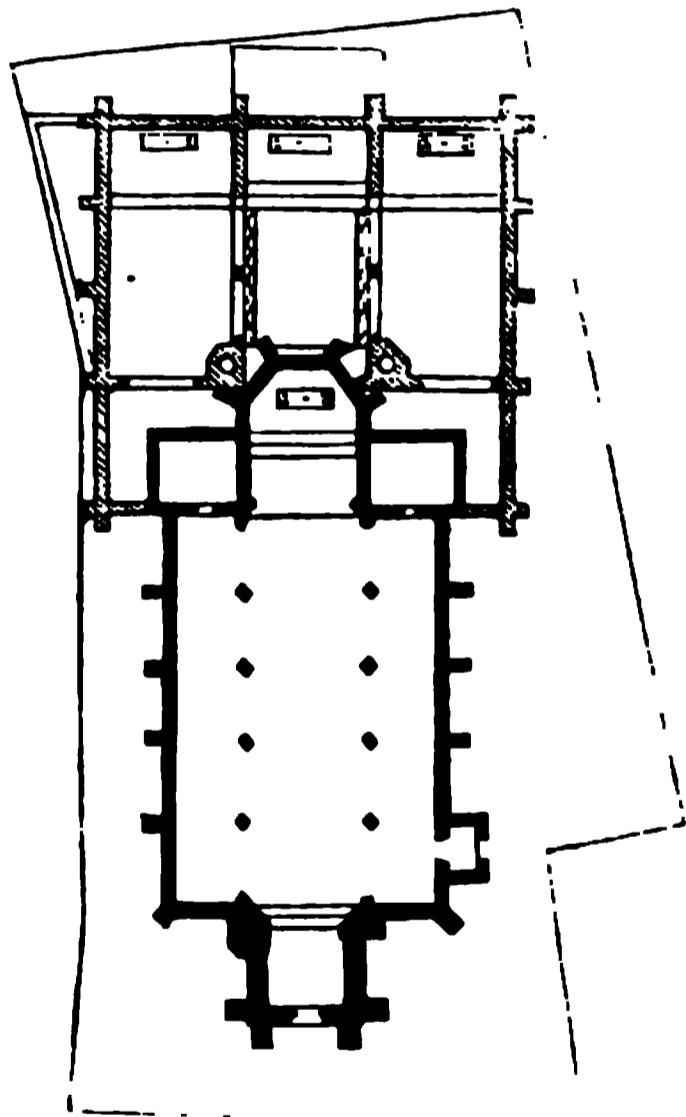
\* There is not the slightest foundation for the *significant relation*, asserted by the reviewer, between the church at Derby and the Roman basilicas ; there is not, in fact, the smallest similarity between the two. In the basilica, the altar and the celebrant *face the east and the people*, of which we are not aware of any other instance. At Derby, the building was unfortunately forced into a south and north position. The church at Moorfields was erected by a Protestant, who was totally ignorant of any canonical regulation, and was far more influenced by the city commissioners, in not spoiling the *uniformity of the crescent*, than any notions of introducing Roman discipline into London. As for Mr. Fletcher's meeting-house, the mention of which is rather insultingly introduced, the reviewer must be aware that it has no *bearing at all*, there being neither end nor side, but one great galleried preaching house, with benches all round ; a vile conventicle, which, we should have thought, any one *professing Catholic feelings* would not have named in conjunction with a church, built on the same site and position, and over the same sacred tombs, as one of the oldest edifices devoted to christian worship.

There is one observation of the reviewer in which we most heartily concur—the absence of altars at the extremities of the aisles is a *great defect*, although not an *irremediable one* ; and we shall hope, before long, to see these, as well as a regular chancel screen, and other arrangements which are absolutely required to be completed, in order to perfect the interior of this edifice.

We cannot conclude these observations without expressing our perfect concurrence in the views of the writer, respecting the propriety and necessity of adhering to the ancient traditional position of churches, from west to east ; and we hold, that nothing short of absolute necessity could palliate, even in these times, any departure from this practice. But few persons are acquainted with the difficulties to be encountered in procuring land for the erection of catholic churches. No sooner does the intention of commencing such a structure become known, than every engine of prejudice and interest is brought to bear in opposition, and sites are sometimes purchased, through necessity, which will not possibly admit of canonical arrangements in the position of the edifice.

Had the writer examined the dimensions of the site, he must at once have perceived that the uncanonical position of the building was occasioned, not through disrespect for the ancient tradition of Christendom—which we revere most highly; not from any idea of introducing Roman peculiarities in England, but from unavoidable necessity, occasioned by want of space from west to east. Had the church been properly placed, even supposing the whole width of the land occupied, not only would the light of both eastern and western windows have been at the mercy of the adjacent proprietors, but the edifice itself would have been much too short for its required purposes. Every expedient, by placing the tower on the side, &c., was tried, but was reluctantly and of necessity abandoned.

The annexed plan will shew these difficulties; and it will also be seen that the church was brought forward to its present



DERBY.\*

position to admit of enlarging the chancel, and adding chapels towards the altar end.

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\* As the exterior and interior of this church have been already etched in two plates, published by Dolman, and also illustrated in the "British Critic," it has not been considered necessary to introduce them in this article.

It was certainly a lamentable necessity, which compelled the architect to turn the church at Derby towards the north ; but yet this is a light defect, when compared with the pewing of St. Alkmund's, where, in a canonically-built church, the congregation not only face the north, but sit in hollow squares and galleries, and *face each other*. The writer could not have selected a more unfortunate example for illustrating the love of Catholic antiquity in the Establishment, than this ancient but desecrated edifice : it is an old Catholic shell, cut up, galleried, defaced, and transformed by every description of Protestant monstrosity, from the Genevan reading-desk, down to the *glazed* and cushioned pew of the last century. But mistaken indeed are the ideas of the reviewer, in imagining that the new church of St. Mary's was erected as if in *hostile opposition* to the venerable fabric of St. Alkmund's ; for, desecrated and desolate as it stands, the pious Catholic can gaze with feelings of deep veneration on an edifice from whose tower the bells have oft called the people to early sacrifice, and beneath whose ancient pavement repose the remains of many a faithful soul departed. How little can the writer estimate the feelings of a true English Catholic, if he thinks every stone of the ancient churches is not inestimably dear to him ; for, independent of the art and science of their construction, their antiquity alone will awaken associations more holy and consoling, than the most splendid revivals of Catholic art in the present day can produce. It is a strange inconsistency in such men as the reviewer, to misrepresent and disparage the intentions and works of the only body who are capable of carrying out the very ideas he so beautifully expresses. We are quite willing to throw overboard such of the modern Catholic erections as are built without reference to canonical arrangement or the traditions of the Church, to be dealt with as unmercifully as the conventicles which they much resemble. But we protest against charging the whole body with the ignorance of some of its members ; and we equally object to the writer claiming Catholic feelings for the Establishment, as a *body*, because such good sentiments have revived among a few of its members. By how small a proportion would the sentiments of the reviewer be *even understood*, and by a how much smaller proportion *appreciated as they deserve*. The very truth contained in his article refutes the position he would attempt to claim. Every thing Catholic in England is at so low an ebb

at present, that it is folly to boast. All we contend for is, that Catholicism in this country possesses sufficient internal strength to revive its ancient glory; while the Establishment, however willing some of its members may be to produce such a result, cannot, under its present system, achieve it. And why is this? It is not from any want of piety, zeal, learning, disinterestedness, or holiness of life,—for all these requisites are possessed in a high degree by many among them; it is simply for want of a really Catholic foundation. If reunited in communion with the rest of the Christian world, and absolved from the censures which their forefathers incurred, how rapidly would they achieve the greatest works! The spirit of the ancient churchmen breathes in their writings, and in their deeds,—but, like the green shoots from a prostrate trunk, wanting a source, fail in producing fruit; and the men who, in better days, would have raised a Lincoln or founded a Winchester, are scarcely able to preserve common decency of worship, or arrest increasing decay, in the churches which they serve.

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**ART. III.—1. *Charges produced in the Nervous System by Civilization, considered according to the Evidence of Physiology and the Philosophy of History.*** By Robert Verity, M.D., Member of the Universities of Edinburgh and Göttingen. Second Edition, enlarged. London: 1839.

**2. *The Anatomy of Suicide.*** By Forbes Winslow, Member of the Royal College of Surgeons, London; author of “Physic and Physicians.” London: 1840.

VERY few, we venture to say, were the suicides committed in England in the age when the lord and lady of Northumberland allowed themselves, for breakfast, a loaf of bread, two manchets, a quart of beer, a quart of wine, and half a chine of boiled beef, on “flesh days;” on “meagre days,” the same quantity of bread, beer and wine, together with a dish of butter, and a piece of salt fish, or, in lieu thereof, a dish of buttered eggs; and during lent, in addition to the usual quantum of bread, beer and wine, two pieces of salt fish, six baconed herrings, and four fresh herrings. The latter were sometimes exchanged for a quarter firkin of

sprats. As to plovers and partridges, pigeons, capons, and chickens, they were esteemed, in those times, such luxuries, that none ventured to touch them, save my lord and lady. This was in the reign of Henry VIII. The propensity to self-destruction was, we suspect, still less manifested in the time of Henry II, even though we believe William of Malmesbury, when he informs us, "the English were then universally addicted to drunkenness, continuing over their cups day and night, keeping open house, and spending the income of their estates in riotous feasts, where eating and drinking were carried to excess, without any elegance."

We can form no idea of a Frenchman deliberately bidding adieu to his friends, and throwing himself into the Seine, immediately after having taken his soup with a wooden spoon, and ate his *bouilli* off a trencher; nor of an Englishman putting a rope round his neck, after having slept on a straw pallet, with a log of timber for his pillow.

That in proportion as civilization makes progress, and the powers of the mind become more developed, the physical constitution of man undergoes very material changes, is a fact which has not yet been sufficiently examined, although it has attracted the attention of several writers of great capacity and learning, such as Vico, Herder, Gall and Spurzheim, Frederick Schlegel, Guizot, and Michelet. Vico was one of the first who took up this "new science," as he justly denominated it. The cultivation of this branch of knowledge offers a most interesting field of enquiry—one intimately connected with every department of the medical profession, and especially with that department most conversant with the maladies to which the intellect is liable.

Even to men unskilled in medical learning, it would seem preposterous that rules of treatment, successful with labourers constantly in the open air, or with soldiers engaged in a campaign, or with our own ancestors a hundred years ago, should be deemed applicable to persons penned up within the atmosphere of a crowded city, accustomed much more to the exercise of the mental than the physical faculties, and constantly availing themselves of all the luxuries which the refinements of modern society present to their acceptance. The same observation applies to diseases of the mind. No doubt can be entertained, that the vast increase which has taken place in the most civilized nations, since the commencement of the present century, in cases of this description, is to be attributed

to modifications that have taken place in the physical constitution of persons belonging to the better orders of society—modifications of which too little account has been yet noted, and which it is the particular object of Dr. Verity's work to bring into public discussion.

Having studied his production with the greatest attention, we may at once assure our readers that they will find it pregnant, in every page, with matter of the most absorbing interest, arranged in lucid order; disclosing many original, profound, and exalting views of the condition of humanity, expressed in a nomenclature sometimes novel, yet always appropriate and intelligible. Dr. Verity's style of composition is remarkably polished. It is often very beautiful; and, when the subject requires it, easily ascends even to the sublime. We have not for a long time enjoyed so delightful a treat, as we have found in this little volume. It carries us forward almost a century before the time in which we live, and exhibits vistas of the future destinies of mankind, in their relations with this world, which are quite captivating;—the more so, as they are supported by a train of reasoning strictly logical, throughout its whole luminous career.

As Dr. Verity's treatise affords, on many points, the most important assistance towards the realization of the object which Mr. Winslow's work has in view, we have placed the titles of both at the head of this article. With the aid of their joint labours, we propose to show that there exists such a malady as "mental contagion"—that is to say, a disease—an actual plague—which is caught by one mind from another, through sympathy, terror, imbecility, or some other operating cause; that this disease is increasing every day to a most alarming extent; that it is much less difficult to be guarded against, than people in general seem prepared to think: and that even when the disease is contracted, it may often be effectually removed by a proper mode of treatment. The subject is new; and if, in the progress of our discussion of it, we should fall into any errors, we trust that they will be looked upon with indulgence. We shall endeavour to render our observations altogether free from technical phraseology, in order that they may wear as popular a form as the matter can possibly admit.

The "nervous system" which we find more or less developed in every specimen of the human form, is admitted on all hands to be essential to our intellectual, moral, and animal

activity. Experience proves that, in proportion as each of these functions is exercised,—that is, according as one species of activity predominates more than another in the life of the human individual, so does the corresponding element or tissue which administers to it, become more appreciable,—or, in other words, more enlarged, in comparison with the other tissues which are less frequently called into practice. The man, for instance, whose occupations are chiefly of a mere animal or mechanical description, will, generally speaking, be found to possess, after any lengthened exercise in those occupations, a higher proportional endowment of the muscular system, than the individual whose employments are of an intellectual kind. On the other hand, the individual who applies his time more to intellectual than manual labours, will eventually exhibit, in his internal structure, a predominance of the organic tissues appertaining to the mental functions. Now the progress of civilization is the result of mental, rather than of manual operations; and it therefore results, that the increased nutrition or growth of the nervous system is a law of advancing civilization.

Thus, as the boundaries of knowledge become more enlarged, those also of the primitive nervous apparatus of the physical man expand into more perfect outlines of proportion and form. *Pari passu* with every new appearance of rudimental improvement, rises towards adolescence the material condition in the interior human economy, connected with that external amelioration. Had not this been the case, “the progress gained by preceding generations would be lost.” Every new generation would have to begin, *de novo*, the work of civilization. “All would be shifting sand, and we should tread upon no substance which had a resting-place upon the known laws of science.”

Hitherto, history has principally recorded the actions and vicissitudes of nations, without marking, at the same time, the interior relations in the human subject which are concurrent with those results—results, in truth, which ought to be contemplated as the symbols of change in the internal structure of man. Pictures of society, commencing with the Troglodites of old, who dwelt in caverns, and coming down to the age in which we live, might be easily made to disclose, not merely the outward phases of social improvement, but also their corresponding extensions of the nervous system. Such pictures would, it is believed, afford conclusive evidence

of the progressive evolution of internal organization, uniformly advancing towards a higher and a higher degree of perfection, in proportion as communities have advanced from the savage state to that of refinement. In such pictures, were the foremost ground occupied by the representation of human thought, we should have the opportunity of tracing from the primeval stages of ignorance, fear and superstition, the advances of the mind towards its present comprehensive, bold, and noble conceptions ; and coevally with these strides towards the heights of knowledge, should we be enabled to mark the inseparable developments of man's physical and moral organization.

"And surely," as Dr. Verity finely observes, "it is looking from a height of commanding eminence, to have already comprehended the laws of the sidereal universe, the geological causes [circumstances] of our earth's creation, and to have secured, as it were, within our own hand, the many subtle and invisible agencies which latently interpenetrate the atoms of all matter, and which fill the secracies and inaccessible depths of nature with formative life, and an intelligible order of procedure. With a knowledge of the laws and phenomena of light, heat, electricity, and gravitation, we have already repelled away to a harmless distance the many masses of cloud and darkness which, in the infant periods of civilization, so wofully disfigured conceptions both of the physical and moral worlds."—p. 17.

Here indeed it may be asked, how it happened, that as the ancient empires of Hindoo, Egypt, Greece, and Rome, rose in succession, they did not preserve their power, and transmit it to generations who would still have improved them, and brought them down to our time in a condition more and more perfected, through the lapse of ages. For if it be true that the growth and improvement of the nervous system be a law of advancing civilization, the consequence of the rise of any one empire ought to be the concurrent expansion of that system ; and, as each generation must partake of that expansion in a more improved form, it would follow, that no empire, having once attained a high degree of civilization, could have gone backward into decay. Nevertheless, all these once-renowned nations did fall from their heights of grandeur into absolute ruin, leaving indeed wrecks behind them—monuments which, to this hour, attest degrees of intellectual excellence, still on many points unrivalled.

To this objection the answer obviously is, that in the first

place, compared with the masses of human subjects of whom those empires consisted, the men of working intelligence were exceedingly few; those few possessed no adequate means of diffusing, in their own time, or of transmitting to any lengthened line of posterity, the improvements which they had themselves wrought. Widening circles indeed were formed, by throwing the pebble into the lake, but the lake itself was too limited in its extent, scarcely comprehending the thousandth part of the empire whose name it assumed. Not so with modern nations. With us, a greater diffusion of wealth enables a much greater number to improve the intellectual faculties. Education, though still restricted within a much narrower compass than it ought to be, is nevertheless much more extensively imparted to our multitudes than it was to those who witnessed the splendour of the empires we have named. The activity of the mind, in those communities, was unequal, and uncontinuous. They knew nothing of the abiding power of Christianity. They had no press, to secure, for the time, the intellectual progress they had made, and to carry it on with ever augmenting energy from one acquisition to another. Their's was, so to speak, an abortive civilization, so far as the mass was concerned. And it is a curious fact, though one which the process of our reasoning would have led us to expect, that the general deficiency in the exercise of intellect, which, of necessity, marked the Pagan nations, is demonstrated by corresponding wants in the Hindoo, Egyptian, Greek, and Roman cerebral systems. They had no principle of stability, physical or moral. Hence they rapidly broke down under the pressure of the first invading force from without. We, who possess the Christian basis of civilization, even if we were to count upon no other, may therefore confidently cherish the hope, that no fresh retrogression into barbarism can ever again degrade the history of mankind.

It must not however be supposed that the Roman civilization, which combined within itself the best results of that of the older empires, produced no fruits beyond the time when it principally flourished. On the contrary, its language, jurisprudence, and municipal government, made a deep and permanent impression upon the Celtic, and especially upon the Germanic races of Western Europe. This impression was very remarkable upon the old Celtic stock of the British islands, more especially upon that of England, whose good fortune it was to have that impression greatly strengthened, by the immi-

grations into it of the Saxon and Norman tribes, who had already, (particularly the former) become conversant with the Roman elements of improvement.

Every traveller must have observed, that the polished and enlightened classes of different countries approximate to each other in mind, habits, and tastes, much more than is the case with the people of those countries at large. We may conclude, therefore, that the more those nations blend with each other by intermarriage, commercial and friendly intercourse, the more they must all advance towards one standard of character. The nervous systems of the individuals who compose the nations thus progressing in the loftier paths of civilization, are, of necessity, also undergoing a corresponding refining process, because, as those systems are more exercised, they amplify in proportion.

In those nations and ages in which the mere animal will, expressed through instruments of war and limbs of great muscular activity, overwhelmed the organs subservient to the functions of the intellect, the cerebral formations will be found, very generally, to have been of a comparatively low grade. We have only to look at a tolerably correct painting of the signers of Magna Charta in the presence of Cardinal Langton and his monastic assistants, to be convinced of the justness of this remark—a remark obvious also to those who examine attentively the figures, on old sepulchres, of barons and knights, and of the crosiered men reposing by their sides. The contrast is fraught with infinite interest in those cases in which the mind overcame and directed the energies of those gigantic frames, “when,” to use Dr. Verity’s beautiful illustration, “men of colossal growth, all powerful with sinew and muscular strength, clad in steel and mail, could be governed and controlled by the force of intelligence and moral volition, wielded by those stern pale-faced churchmen of old, all chiselled out of the intellectual cast of temperament, and distinguished by their dry spare bodies, their thin compressed lips, and spacious thought-worn brows.” “These individuals,” he adds, “may be said to have possessed, by anticipation as it were, the peculiar nervous temperament of modern times, just as their feudal contemporaries may be said to have partaken of the coarse organization, which now characterizes the obtuse-minded and ponderous-limbed rustic population of England.”

Though not strictly belonging to our present argument, it is impossible for us to pass over the just and splendid repre-

sentation, which, at this period of his reasoning, Dr. Verity gives of the progressive power exercised by the intellect, immediately after its first partial triumphs in the chivalrous ages.

"In the historical picture succeeding the ages of chivalry, the ameliorative activity of society advanced in all ways, with more breadth, rapidity, and power, and in a higher ratio than formerly. There flashed out of its dark surface a brighter display of light and phenomenal effect; the scene was more replete with life and active agency, and there were certainly disclosed to view, and thrown out, from the interior of human nature, more vigorous shoots of intellectual growth, and a much more adventurous will after truth, and the way of knowledge, of enterprise, and of power. A new principle seemed to have worked itself out into noticeable existence, and to be cast freely upon the world to dare what it would. The scanty current of civilization which had flowed almost unseen under the darkness of the feudal ages, had now accumulated into a broad expanse of living waters, which, taken at the flood, were fearlessly navigated by the foremost pilots of humanity, guided by a kind of destiny, and the noble instinct of genius.

"At this stage of the physiological type, the amplification of nervous development, from the steadily increasing depositions of nutrition, must have generally marked itself by a bolder configuration in the higher-related cerebral structures.

"Out of this fuller maturation and advance of the general mind, proceeded the invention of Printing, and discovery of the New World; events whose reactive influence still goes on, and will continue coevally with the duration of mankind. What the one availed to the intellectual world, the other did to the political and social.

"This period might be considered as a middle point in time, whence to contemplate how the small circles of preceding civilization successively enlarged their sphere of action and geographical extent, until at last the globe itself became encompassed. This concentric enlargement of civilized activity into greater and greater circles, may be traced out, beginning from the elevated plateau of central Asia—the historical *officina gentium* of primeval times—through the first Asiatic, Græco-Macedonian, and Roman empires, down to the great Christian confederacy of nations throughout the old and new worlds; the last circle ever transcending the preceding, both as to extent of space, and accumulation of civilization.

"About this period, too, began those maritime expeditions, and frequent emigrations of people to new countries, terminating in the vast system of European settlement and colonization, through which the commanding points of the habitable globe became affiliated to the civilization of the Christian commonwealth.

"This commingling and interaction of different races and communities, one with another, whether by positive admixture of blood, or

by the reflected influence of language, thought, and ideas, would appear to be the great fundamental principle and tendency of humanity, whereby the world shall become at last the one city of God, as anciently intimated, through moral analogy alone, by St. Augustin.\*

"The great thinkers of antiquity were comparatively locked up in a prison-house of geographical knowledge, against whose dark walls how many have broken their strength, and how many noble ambitions have fallen! It is curious to observe how their restless and inquisitive minds were filled with impatience and vain imaginings at this ignorance of the earth's problem. They seemed impressed intuitively that they had a right to know it, and that they were being defrauded of something legitimately allowed to the apprehension of human capacity. The European mind, too, it must be fully recollected, before this period dwelt habitually within a narrow circumscription of locality. No pinion had ever yet crossed the dark horizou until Columbus sailed. . . .

"So nearly bordering upon our own times only has it happened to the species to become acquainted with that portion of the earth's surface left uncovered by the waters of the ocean — to survey, in its whole extent, the theatre of their existence, and their unconquerable activity. This circumstance may be said to mark a great epoch in the history of human progress, and affords of itself alone, in a material and emphatic shape, a most significant refutation, that society had been stationery, and was without a foresettled end in the future."

—pp. 82-85.

But we must abandon the fine fields of thought which our author discloses to view, as he prosecutes his history of the human intellect down to the present day. It is sufficient for our present purpose to remark, that in proportion as civilization advanced, the nervous functions developed themselves more and more abundantly; for, as he states, it is a physiological law, that that portion of the human economy which is habitually exercised draws to itself a greater quantity from the general store of nutrition by which that economy is sustained. The nutrition thus absorbed is in due course converted into fresh depositions of material, analogous to the portion of that economy which so absorbs it; and hence the result which we wish to impress upon our readers,—that as the mental powers and the nerves connected with them are more generally developed in the age in which we live, than they had been at any former period of our history, it becomes of vital consequence to society to take notice of this great change in the human constitution, and to act with reference to it, not

only when the health of the body, but especially when the health of the mind is concerned.

"Hence arises the necessity for corresponding modification in food, regimen, and medical treatment, according as the individual participates more or less in the several physiological changes produced by civilization as above considered. This modification in medical practice, perceived at present in its full extent by a few, will no doubt, in the course of time, become generally acknowledged, and reduced to principle, in proportion as a more refined and highly-wrought character of organization—the nervous type of temperament—shall be observed to gain upon greater and greater masses of society. The treatment will come to be adapted full as much to the temperament and individual, as to the disease.

"It follows as a corollary, from the principle of temperament, that medical experience and observation acquired during the earlier periods of society, when the habits and advantages of civilized life were yet unknown, cannot be applicable to individuals in later and more refined times, but with important modifications and allowances; likewise that medical practice exercised amongst those of a nervous type of temperament, predominating in the middle and higher classes, would require to be considerably different, in many respects, from that exercised amongst the general labouring population, the organization of the latter consisting, as it does, chiefly of bone and muscle, large visceral organs, and proportionate fulness and strength of the vascular system."—pp. 114-15.

It is no part of our purpose to attempt any investigation into the nature of the mind itself. What we do know of it is this, that it is capable of being influenced to a very great extent by the nervous apparatus which we find in our frames. Whenever by any accident, by gradual decay of health, by physical disease, or any other cause, that fine series of instruments becomes in any way affected, and altered from its ordinary course of action, the result is felt in what we may call the whole region of the mind. The function of volition seems to be peculiarly liable to derangement on these occasions. The spirit no longer guides it with power, and the tendency to act in some way or other seems almost irresistible. The boat is put to sea without a helm; the passions implanted within us for useful purposes rise like storms around the bark, and toss it here and there. The course of thought is confused. We lose the point of sight by which we had been accustomed to take our aim onward in the even tenor of our way, and although (happily) we are not often, under such circumstances, conscious of the aberrations which the mind undergoes, never-

theless lucid moments come to tell us of the perils through which the divine being within us is labouring.

It is matter of experience, well known to all skilful men who have paid much attention to the functions of the intellect, that in many cases, where, from any cause, those functions are actually out of order, or very liable to be so, the example of insane acts perpetrated by others presses with all the force of a positive contagion upon individuals thus predisposed to receive the pestilence.

Even when we are in the best health of mind and body, let us go to an assembly of our fellow-creatures, engaged in any occupation which requires intellectual exertion. For instance, attend a public meeting upon a political question that excites interest in the community; mark the influence which the words, the looks, the gesticulation of a leading and eloquent speaker exercise over that assembly. It is not merely the sentiments he utters which affect his hearers; his personal movements, shewing the emotions of his mind, operate of themselves by mere sympathy upon those around him. What effect has even pantomimic action, without any assistance whatever from language! A story can be told by gesture alone, which will harrow up the soul of the spectator as much as the most expressive language could do.

Thus music, without any accompaniment of words, may plunge the source of thought in grief, or raise it to extacies of delight. Thus the expression of joy upon other faces will light up our own almost without any exercise of volition on our part; despondent looks will often produce a similar contagious influence. History, ancient and modern, the newspapers of the current day, abound in instances in which those influences called "panics" run like wild-fire through large masses of the community. To look at the terrors which in some of our rural districts are excited in the breasts of young and old, by those meetings denominated "revivals," you would set the whole multitude down as a gathering of lunatics. We need only go back to the riots of 1780 to learn the consequences which a phrenzy, characterized by the desecrated epithet of "religious," and communicated by contagion to thousands of human beings, may operate in the course of a few days. The Courtney fanaticism, which seized many persons in Kent two or three years ago; the fanaticism of the "unknown" languages, begun or encouraged by Irving; the anti-papal horror which for more than a century was easy to be called into activity; what were all these emotions but

mental plagues, diffused like the cholera, or scarlet or typhus fevers, from one human being to another?

The advocates of animal magnetism err only in the extent to which they seem inclined to carry their doctrine. That there is within each human subject a power which can act by sympathy upon others, is a proposition which experience pronounces undenialble. That our knowledge of this condition appertaining to the animal and mental systems of man, may be practically applied to the prevention and cure of particular diseases, we believe to be equally indisputable. But the adepts in the science, in their attempts to push their knowledge beyond the due boundaries, are likely to bring a degree of ridicule upon their labours which will mar them for an age to come. Hereafter when their enthusiasm, real or disseminated, shall have passed away, it may be found that the proceedings of Mesmer and his pupils, like the researches for the philosopher's stone, have a true basis in the common organization of our species; and that his mistake is, an exaggeration of the scintillæ of science which he has already acquired on this subject.

One of the forms of mental malady is a kind of fascination, which a mind affected by nervous influences is liable to on many occasions. Some serpents, it is said, and we believe not incorrectly, possess the power of preventing a bird, its contemplated victim, from making any effort to escape, by gazing at it for a few moments with a fixed and flaming eye. The bird is not only thrown into despair of safety, but, as it were to get rid of the oppressive sensation of terror, rushes into the jaws expanded to receive it. Everybody knows that men standing on heights from which a fall would be fatal, experience a fascination of a similar kind. The expression "giddy heights," is one familiarly used and easily understood. We ourselves once felt this fascination to a very painful degree, when standing near the edge of the platform of the great tower belonging to the cathedral of Strasburg. The views from that height are vast in extent and magnificent in character. The platform itself is by no means narrow; but the perpendicular line down which you look from its edge, although that edge is guarded by a barrier, fills the mind with a terrific apprehension of the result that would ensue, in case you should be thrown, or should throw yourself, into the depth below. Some adventurers climb even higher than the platform, and look down thence without the slightest sensation of alarm. So probably should we have done, had not the

nervous system been put out of its usual order, by our having previously travelled two nights and days successively, without any other than that feverish sleep which is to be found in a French diligence.

A fascination of this kind often acts upon the minds of those, who holding in their hand any instrument by which instant destruction might be effected, yield to the temptation suggested by the presence of the weapon and the facility of the operation. Suicide, or murder of another—a wife, a child, or a stranger who happened to be near—has been frequently the result of this dreadful feeling; a feeling that takes entire possession, as if it were an evil demon, of the mind for the moment, and never quits it till the deed is done. In cases of the murder of others, when the fever of the moment passes away, and reason recovers its due course, the criminal stands shocked at his own guilt, and wonders how he could have imbrued his hands in the blood of perhaps the very person he loved best in the world, from the impulse of a moment.

It is a just observation of Dr. J. Johnson, that—

“In this country, where man’s relations with the world around him are multiplied beyond all examples in any other country, in consequence of the intensity of interest attached to politics, religion, amusement, and the arts; where the temporal concerns of an immense population are in a perpetual state of vacillation; where spiritual affairs excite in the minds of many great anxiety; and where speculative risks are daily involving in difficulties all classes of society,—the operation of physical causes in the production of disease dwindles into complete insignificance when compared with that of anxiety and perturbation of mind.”

The natural vigour of many minds being almost simultaneously overthrown by any one of these, or of the thousand other causes which might be mentioned, let but a case of suicide occur, which by reason of the station of the individual, or the circumstances attending it, attracts general attention upon being published in the newspapers, we may expect numbers of other suicides to occur forthwith. Unhappily that expectation seldom fails to be realized. The susceptibility to disease already in existence, even a single example of suicide spreads its terrors throughout the whole class of invalids, as we may justly call them; the columns of the newspapers teem with articles headed “determined suicides,” “horrible attempt at suicide,” “extraordinary suicide,” “melancholy suicide,” “desperate murder and suicide,” “suicide by a boy,” “afflicting suicide of a young lady.” We remember reading in one

column of the *Morning Chronicle*, last winter, accounts of no less than five suicides, perpetrated within an interval of some thirty or forty hours after the occurrence of a case which had attracted general attention. Eminent medical men agreed in opinion that the cases we have mentioned, and others by which they were followed, were clearly the result of suicidal contagion, acting on minds either predisposed to the malady, or easily made so by the state of their nervous system. It is very certain that a disposition to murderous deeds is often produced by a mental contagion, which has owed its origin to some peculiarly atrocious crime of that nature. Poisonings of whole families by servants, murders of wives by their husbands, without any sort of provocation, or of provocation of the slightest possible character, have been known to take place under the influence of this moral pestilence.

Courvoisier stated, that "the idea of murdering his master was first suggested to him by a perusal of the romance of Jack Sheppard." Here, therefore, is clearly a case of guilt brought on by an example placed before him by a writer, who chose to exercise his talents in investing the character of a most wicked criminal in all the attributes of a hero. The official returns of the state of crime for the last two or three years, show a great increase of house robberies, either directly effected by servants, or by persons whom they have admitted into their masters' houses for the purpose. The returns for the year 1840 will prove, we regret to say, that the crime of murder has of late very much increased in England. Indeed, hardly a day passes in which we do not read of three or four murders committed, many of them with a cold-blooded spirit of cruelty that would disgrace the most ignorant and brutalized tribes of mankind. It would be an exaggeration to say that all, or even many of these cases of murder, were produced by "mental contagion." But undoubtedly some are traceable to that cause, especially those in which the least provocation to resentment has been given.

Abundant evidence appears in the history of the French revolution of the fact, that the disposition to sacrifice life has prevailed epidemically at different periods of that long and terrible tragedy. Mr. Winslow seems to think that a contagion of this kind is apt to spring out of the "imitative principle" with which man is endowed.

"Persons," he observes, "whose feelings are not thoroughly under their command, who act from impulse and not from reflection, are very prone to be operated upon by the cause referred to. Man has

been defined an imitative animal; and, in many instances, we witness this propensity controlling almost irresistibly the actions of the individual. Tissot relates the case of a young woman in whom this faculty was so strongly developed, that she could not avoid doing everything she saw others do. Cabanis gives the account of a man in whom the tendency to imitate was so strongly marked and active from disease, that 'he experienced insupportable suffering' when he was prevented from yielding to its impulses. A woman, in the ward of an hospital, will be seized with an epileptic fit; in the course of a short period, other cases will occur in the same ward. A child was brought into one of our metropolitan hospitals, labouring under a violent attack of convulsions. She had not been in the house five minutes, before three children who were present were seized with spasmodic convulsions of a similar character. The commission of a great and extraordinary crime produces not unfrequently the mania of imitation in the district in which it happened. A criminal was executed not many years ago for murder. A few weeks afterwards, another murder was perpetrated; and when the young man was asked to assign a reason for taking away the life of a fellow-creature, he replied, that he was not instigated by any feeling of malice, but, after having witnessed the execution, he felt a desire, over which he had no control, to commit a similar crime, and had no rest until he had gratified his feelings. It is only on the same principle that we can account for the following case of suicide. It is related by Sir Charles Bell, in his 'Institutes of Surgery.' The surgeon of the Middlesex Hospital who preceded Sir Charles Bell, went into a barber's shop, in the neighbourhood of the institution, to be shaved. As the barber was operating upon his chin, the conversation turned upon the case of a man who had been admitted the previous day into the hospital, and who had attempted unsuccessfully to kill himself, by cutting his throat. 'He could easily have managed it,' said the surgeon, in rather a jocular strain, 'had he been acquainted with the situation of the carotid artery. He did not cut in the proper place.' 'Where should he have cut?' asked the barber quietly. The surgeon, not suspecting what was passing through the barber's mind, gave a popular lecture on the anatomy of the neck—pointed out the exact position of the large vessels, and shewed where they could easily be wounded. After the conversation, the barber made some excuse for leaving the room; and not returning as soon as he was expected, the surgeon went to look for him, when he was discovered in the yard behind the house, with his head nearly severed from the body!

"The following case is, perhaps, more strange and inexplicable than the one just related. The brother of a hair-dresser and barber had killed himself by blowing out his brains. The circumstance appeared to affect seriously the mind of his relative. He left his business for a few days; and then returned, apparently more tranquil in his mind. In the morning, several persons came in to be shaved;

and, all at once, he felt a strong and almost overwhelming inclination to cut some one's throat. He fought manfully, however, against this horrid desire. During the whole of the earlier part of the day, he had been able to resist the gratification of the feeling. Every time he placed the razor in contact with the throat, he fancied he heard a voice within him exclaim, 'Kill him ! kill him !' In the afternoon, an elderly gentlemen came into the shop to be shaved ; and when the barber had nearly concluded the operation, he was again seized with the desire ; and before he could summon courage enough to suppress it, he gave the man's throat a tremendous gash ; fortunately, however, the wound was not fatal.

"Gall informs us of a man who, on reading in the newspapers the particulars of a case of murder, perpetrated under circumstances of peculiar atrocity, was instantly seized with a desire to murder his servant ; and would have done so, had he not given his intended victim timely warning to escape.

"Some years ago, a man hung himself on the threshold of one of the doors of the corridor at the Hôtel des Invalids. No suicide had occurred in the establishment for two years previously ; but in the succeeding fortnight, five invalids hung themselves on the same cross bar, and the governor was obliged to shut up the passage.

"Sydenham informs us, that at Mansfield, in a particular year, in the month of June, suicide prevailed to an alarming degree, from a cause wholly unaccountable. The same thing happened at Rouen, in 1806 ; at Stuttgart, in the summer of 1811 ; and at a village of St. Pierre Montjeau, in the Valais, in the year 1813. One of the most remarkable epidemics of the kind, was that which prevailed at Versailles in the year 1793. The number of suicides within the year was 1,300—a number out of all proportion to the population of the town."—pp. 110-111.

A very curious species of mental contagion, if we may so term it, is known to have prevailed through several parts of Europe in the latter part of the fourteenth century. It was called the "dancing mania." Details of this extraordinary malady will be found in a work published not many years ago in London, translated from the German of Dr. Hecker, professor at Frederic William's University at Berlin. Some instances of this malady had previously occurred at Erfurt, where upwards of a hundred children were seized with this frenzy. They proceeded thence dancing and jumping along the road to Armstadt, where they fell exhausted to the ground. Some of them died soon after, and the rest were affected with tremor to the end of their lives.

The malady assumed a much more serious form about the year 1374, when it made its appearance at Aix-la-Chapelle. The persons affected by it danced together in circles, in the

churches and the open streets. It then spread rapidly all over the Netherlands. The maniacs, while they danced in wild figures, appeared wrapped in internal visions, shrieking out the names of spirits whom they declared they beheld before them, and looking towards the heavens, which they represented as open to their gifted sight. They wandered in bands through the country and villages, taking possession, wherever they went, of the religious houses, with a view to annoy the clergy, against whom their revilings were particularly directed.

From the Netherlands the disease proceeded along the Rhine. Upwards of a thousand individuals were attacked by it at almost the same moment, at Metz and Cologne. The following abstract of the work above-mentioned, for which we are indebted to *Chambers' Edinburgh Journal*, presents some very interesting particulars of this frightful contagion.

" Children quitted their parents, servants their masters, mechanics their workshops, and housewives their domestic duties, to partake in the disorder. Many of the wandering dancers are understood to have been impostors, who assumed the character for the sake of adventures and maintenance ; but these propagated the disorder as successfully as the truly afflicted, the susceptible being everywhere prepared to fall into a frenzy of which they heard so much. In the Rhenish cities, as in Belgium, it at length in a great measure exhausted itself, and for a time fell out of notice.

" The dancing mania made another conspicuous appearance in the towns of Belgium and the Lower Rhine in 1418, when bands of the afflicted passed along from place to place, accompanied by musicians playing on bagpipes, and by innumerable spectators attracted by curiosity. For a century after this period, it appeared from time to time, like other epidemics, and the symptoms were always of one kind. It now became known as St. Vitus's dance, from a notion that to that saint was commissioned the power of curing it, for which reason his shrines were resorted to by the afflicted. It attacked people of all stations, especially those who led a sedentary life, such as shoemakers and tailors ; but even the most robust peasants became its victims. The fury of some was so great, that they would dash their brains out against the walls and corners of buildings, or rush headlong into rapid rivers, where they were drowned. Roaring and foaming as they were, the bystanders could only succeed in restraining them by placing benches and chairs in their way, so that, by taking high leaps, their strength might be the sooner exhausted. Many, after wearying themselves out, would revive in a certain time, and join once more the frantic revel. The afflicted had some strange antipathies. They could not endure to see any one weeping ; and when they saw a red garment,

they flew at the wearers as infuriated cattle do, and endeavoured to tear them in pieces. The malady became nearly extinct about the beginning of the seventeenth century.

“Varieties of the dancing mania appeared in other parts of Christendom during the middle ages.

“There is in Apulia, in Southern Italy, a harmless species of spider, called the tarantula. About the same time that the dancers appeared in Germany and on the Rhine, the people of Apulia seem to have become possessed by a nervous dread of the bite of this little insect. Hence arose one of the strangest delusions that ever possessed the human mind. Those who were bitten, or supposed themselves to be bitten, ‘generally fell into a state of melancholy, and appeared to be stupified, and scarcely in possession of their senses. This condition was, in many cases, united with so great a sensibility to music, that, at the very first tones of their favourite melodies, they sprang up, shouting for joy, and danced on without intermission, until they sank to the ground exhausted and almost lifeless. In others, the disease did not take this cheerful turn. They wept constantly, and, as if pining away with some unsatisfied desire, spent their days in the greatest misery and anxiety. Others, again, fell into morbid fits of love; and instances of death are recorded, which are said to have occurred under a paroxysm of either laughing or weeping.’

“At the close of the fifteenth century, this malady had spread over Italy, and the virulence of its symptoms was increased. Nothing short of death was expected from the bite of either the tarantula or the scorpion; and all who fancied they had ever been so bitten, became victims of the disease. Sunk in profound melancholy, they never betrayed the least sensibility, except under the influence of music. At the sound of the flute or cithern, they awoke, as if by enchantment, opened their eyes, and, moving slowly at first, according to the measure of the music, gradually hurried on to the most passionate dance. It was generally observed that, on these occasions, the most rustic people showed a grace in their movements which never was observed under other circumstances in persons of their class. Musical pieces devised for the afflicted were called Tarantellas; some of them are preserved, and extracted into Dr. Hecker’s work.”

There are few persons who cannot bear witness that the state of the atmosphere very often produces a powerful effect upon the mind;—sometimes depressing the spirits to an almost intolerable degree, sometimes acting exactly in a contrary way, by exalting them to a height of cheerfulness delightful beyond expression. We remember once travelling in Italy in company with a Russian artist, who stated that whenever he returned from even the more northern parts of that country to Rome, he felt as if his mind were freed from

the weight of a constant night-mare ; but that when he reached Naples, he became almost beside himself with joy, occasioned solely by the climate. It is said, that an excessive degree of moisture in the atmosphere tends to favour the suicidal disposition. It is almost a proverbial saying in London, that with the fogs of November the annual list of suicides commences. The climate of Holland, however, is much more gloomy than that of England, as Mr. Winslow justly observes ; and yet in that country suicide is by no means common. The climate of Ireland also is remarkably humid, and yet we very seldom hear of suicides amongst us. Our people, on the contrary, are naturally the most cheerful on the face of the earth.

Indeed, the *average* number of suicides for each month, from 1817 to 1826, would go to establish the conclusion that the least suicidal month of the year, in England, is the much-calumniated November ; and that it is in April, May, and June, the greatest number of crimes of that class are committed. The average numbers are as follow : January, 213 ; February, 218 ; March, 275 ; April, 374 ; May, 328 ; June, 336 ; July, 301 ; August, 296 ; September, 246 ; October, 198 ; November, 131 ; December, 217. The statistical returns procured from the European capitals, concur generally in attributing the maximum of suicides to the months of June and July, the minimum to October and November. Temperature appears to exercise a more decided influence on the suicidal epidemic, than any other condition of the atmosphere. Mr. Winslow informs us, that in 1806 upwards of sixty voluntary deaths took place at Rouen, during June and July, the air being at that time remarkably humid and warm. In July and August of the same year, more than three hundred suicides were committed at Copenhagen, the constitution of the atmosphere presenting there the same characteristics as it did at Rouen. From the year 1827 to 1830, it appears that no less than 6,900 suicides occurred in Paris, giving an average of 1,800 per annum.

It is not to be doubted that, in many cases, the tendency to suicidal insanity is produced by habits of intemperance, which act with peculiar force upon the liver and abdominal viscera. In France, especially in Paris, the frequent practice of that crime not to be named, is said to be the parent of diseases which perhaps more than any others swell the catalogue of suicides. The losses arising from the vice of gambling also contribute their share to the acts of self-destruction which have become so common in that capital.

It is the remark of Brown, in his work on lunatic asylums, that in the north of France, where the Catholic religion prevails to a comparatively smaller extent than in the more southern departments, suicide and crime predominate; whereas south of the Loire, where that religion "still retains a strong hold of the affections of the people, suicide, and its sister crimes and maladies, are comparatively rare." "This," he adds, "affords a noble proof that the effects of Christianity, in whatever form, and under whatever circumstances, are peace and joy." It may be further stated, that in the lunatic asylums of England, Catholics are very seldom to be found—a fact of great importance, as shewing the influence which our holy religion exercises in calming the agitation of the mind, and teaching it to look forward with confident hope, even in those hours when misfortune or physical disease presses upon it with the greatest severity.

The lunatic returns for England present numerous cases of diseased intellect, caused by that religious uncertainty which is, of necessity, the result of the conflicting variety of forms of faith created by what is usually called the "Reformation."

"Instances," says Mr. Winslow, "very frequently occur in practice, in which patients have appeared, some suddenly, and others gradually, to be seized with a species of religious horror, despairing of salvation, asserting that they had committed sins which never could be forgiven—and these with reverence to persons who had never previously appeared to be under religious impressions. Some of these have been visited by divines of various denominations, and been induced to hear sermons and read books well calculated to dispel gloomy apprehensions, and excite religious hope and confidence. With some, this has succeeded, especially when conjoined with medical aid; but it has been observed, that in the cases of those who have recovered, the patients have *emerged* precisely as they *immersed*; for as they before were unconcerned about religious matters, so they remained after their recovery; thus the indisposition has been very erroneously imputed to religion, when it has no kind of affinity to, or concern with it. Such cases almost invariably exhibit the same symptoms, which generally turn on these points—despair of temporal support, or despair of final salvation. But the medical practitioner, and not the divine, is the proper person to be consulted in such cases; and, however the mind may be affected in them, the patient is to be relieved by means of medicine. It may be added, that the agonies of mind under which some persons labour who are called fanatically mad, arise from a sense of moral turpitude, independent of any peculiar religious tenets or opinions. The true doctrines of Christianity, when properly inculcated, never excite a gloomy state of mind. 'To be religious,' says South, 'it is not

necessary to be dull.' Cowper (perhaps, however, the most miserable and melancholy of men) beautifully says :

' True piety is cheerful as the day ;  
Will weep indeed, and heave a piteous groan,  
For others' woes, but smile upon her own.' "—pp. 106-107.

Cowper's practice was, unhappily, very far from his theory upon this point. But we, Catholics, do not at all wonder at the effects which the "religion," as it is called, of the sectarians, produces so frequently with reference to the mind. It is not possible for any person of a strong religious temperament (and of such persons there are great numbers in England and Scotland, who dissent from the Catholic Church), to find, in the doctrines which prevail amongst them, that great sheet anchor which alone can enable their thoughts to be at peace, when once they set out sincerely in search of truth. Mr. Winslow very justly remarks, that, in such cases of mental disturbance, the divine has done, and can do, but little ;—that is to say, the divine who is usually called in on these occasions. It is not books, or sermons, that will afford help to those wandering intellects ;—it is the confident and consoling voice of the minister,—it is the sweet and persuasive language of the Catholic Church alone, that can find its way to the agitated bosom, rescue it from its horrors, teach it reliance upon the promises of the Redeemer, and present to it that rock of the true faith upon which it can ever find an asylum from the storm. The fact that so few Catholics (that is to say, Catholics in practice as well as in profession, for there are too many merely nominal members of our Church in this and other countries) are to be met with in our institutions for lunatics, speaks trumpet-tongued for the salutary influence of our holy faith in this respect.

A mind well disciplined in our religion can scarcely ever fall a victim to mental disease, unless it arises from the irresistible pressure of positive physical causes. Cases of this kind are wonderfully few, in comparison with the number of those that are produced by imaginary woes, by mere want of power to resist the temptations to evil that occur to every one of us, however perfect,—by the state of nervous excitement to which uncertainty as to salvation often gives birth,—by the absolute want of any substantial light for the intellect to turn to, when its path becomes clouded by misfortune,—and by the destitution of all resource, when the poor, hunted, wearied stag falls trembling in its agonies to the ground.

Oh, it is in these hours—these gloomy, painful hours—that we, who have in our tabernacles the true bread of life—

who behold upon our altars the crucifix—who see ever near it the resigned and inspiring countenance of the Virgin—feel and appreciate the value of that faith which tells us to put our burdens upon the Expiator, and to go on upon our way rejoicing. If we suffer, we know that it is for our correction, and that calamity is a proof of the love of Him who sends it to try our affections, and to bind us to Him more and more closely. If we be in pain, we are accustomed to ask ourselves what is such affliction, in comparison with his who died for the sins of the world?—or of hers, that weeping mother, (*Mater dolorosa*) whose heart was so deeply pierced by the sword of grief, when she beheld her son scourged at the pillar, bleeding under the crown of thorns, and nailed to the most ignominious instrument of punishment which an apostate nation could devise.

“It behoves us to glory in the cross, the tree on which are the life and salvation of the world.” “Let us rejoice in those things which are told to me: this day we shall go into the house of the Lord.” “Glory be to God on high.” “The heavens and the earth are full of thy glory.” “Come, Holy Spirit, send down from heaven the rays of thy divine light.” “Come, thou Father of the poor, the author of all good gifts, and the light of our hearts.” “Come thou, the best of comforters; the sweet guest, and sweetest refreshment of our souls,”—“The rest of our labours, the ruler of our passions, the comfort of our tears.” These, or such as these, are the antidotes we administer to the “mind diseased,” whenever the poison of despair is mingled in our cup by the hands of the tempter—these are the charms by which we chase him from our presence; and many, many can bear witness how effectual are those charms, when they are resorted to by truly pious souls!

It is indeed the fact, that

“True piety is cheerful as the day.”

What has a conscience that is at peace with God, with itself, and mankind, to fear upon this earth? The loss of fortune—of even the dearest objects of our love—the pains of physical malady—the frowns of the world—the treachery of friends—the persecution of enemies—the disappointment of our hopes—what are all these transitory incidents to him whose heart is set upon the bliss of eternity? who, when his senses emerge from the sleep of night, feels as if the hymns of the heavenly choir were sounding in his ear—enters into converse with his angel guardian, and raises his thoughts at once towards the occupation of those superior intelligences, whom, though

he cannot see, he knows to be near him. They are wherever the Omnipotent is. He is present to all space, and they are for ever exulting in His majesty and glory. The mind that comprehends these truths—that keeps them in lively remembrance—that acts upon them, and makes religion the great business of life, may well defy the suicidal and other oppressive mental influences of climate or disease. It is full of that joy which made Eden the Paradise it was, before it was defiled by sin ; and which may still turn the desert into Paradise, if we but choose to listen to the admonitions of those, whom the Divine Preacher on the mount designated as “ The Light of the World.”

We are by no means disposed to deny that there are forms of mental disease, which, of necessity, demand the attention of the physician. It cannot be doubted, that the rich and abundant diet, the great variety of wines and of luxuries of every description, to which very large classes of persons, especially in England, have daily access, are prolific causes of disturbance in the digestive functions, and lead eventually to those inroads upon the healthy condition of the nervous system, which are almost certain to derange the intellect. The changes in the physical constitution of men living in a highly civilized community, so well described by Dr. Verity, are not yet sufficiently known, or considered by medical practitioners, still less by society at large. The inconvenience which many individuals feel in imitating the convivial habits of even the early years of the present century, has unquestionably led to a great degree of reform in this respect. We do not now often hear of individuals, who, moving in a respectable sphere, boast of drinking their six bottles of wine after dinner : in fact, they could not do such a thing without serious peril to life ; a fact which of itself affords strong confirmation to Dr. Verity’s theory. The time is not far distant when such potations were freely indulged in with impunity ; whereas, it now seldom occurs, that, on the average, more than a single bottle of wine for each guest is found to have been consumed by a large dinner party—often not even half that quantity. Moderation—temperance—is fortunately the prevailing habit of the day, a to wines especially ; and we see the result of this improve habit, in the increased longevity of our times, as compare with those that had previously elapsed.

There is still, however, much room for reform upon mai points. The fact that madeira, port wine, and champagn have very much gone out of fashion, and that for these ha been substituted sherry, claret, and the lighter wines of G

many, shews pretty clearly, that our physical constitution, generally, is no longer the same as that of our ancestors. It would be well if the dietetic reform were also extended to tea and coffee, and every species of malt liquor. It is well known, that both tea and coffee act with peculiar energy upon the nerves, and that they very frequently produce "heartburn." Beer is exceedingly apt to turn acid in the stomach. These beverages are all too freely and indiscriminately used. We might advantageously reduce our consumption to less than a third part of the quantity usually taken. Let but even this change be effected on a large scale, and proper exercise in the open air be habitually adopted, and the results will soon shew themselves, in the reduction of the number of lunatics, with which the asylums of England especially are crowded.

Where cases, manifestly owing their origin to disordered digestive processes, exist, the remedy is obvious, and generally effective. Attention to diet—reduction in quantity—simplicity in fare—air—exercise—rational amusement—quiet—agreeable social intercourse—will be found, in general, sufficient to overcome mental affections, proceeding from the causes we have just mentioned. But for the more deeply seated maladies of the intellect—those which are traceable chiefly to the wants of the mind itself; to fears connected with the future stages of existence; to the absence of any firm reliance upon modes of faith, which, however eloquently described and enforced, are nevertheless destitute of the great charm of truth,—the medical practitioner has no remedy whatever. All cases of this species belong to the divine. It is he who must administer to minds affected by diseases of this class—diseases much more numerous than many persons suspect, or will easily believe: and we will take it upon ourselves to assert, that it is in the bosom of our Church alone, are to be found the ministers who can really afford substantial relief in all such maladies as these, or indeed, in any of the intellectual maladies arising from other than mere physical causes.

The soothing language of our Church, spoken by her clergy—generally men mild in their demeanor, and much conversant, from their practice in the confessional, with the human heart, having no object to promote save the eternal welfare of those entrusted to their guidance—would seldom fail of finding its way, even to that reason wandering through the labyrinth in which despair, grief, misfortune, passion, disappointed ambition, ill-requited affection, jealousy, or remorse, may have involved it. The very grandeur of our public worship—our altars on festival days, decorated as they are, and brightened by

numerous lights—the painted Gothic window—the portraits of the Redeemer and the saints—the fragrant incense—the mitred prelate—the splendid vestments of his sacerdotal assistants—the surpliced youths who serve around him—the holy sacrifice, conducted with a degree of piety and fervour which rivets the attention of the spectator—the silvery tones of the altar bell—the thrilling tones of the organ—and the full harmonious voices of the choir, chanting the “Gloria in Excelsis,” the “Credo,” the “Laudate,” and the “Agnus Dei,”—would of themselves dissipate from the oppressed bosom a thousand woes.

Let the effects produced by such powerful agents as these upon the human senses be carefully followed up by other appliances—care of health—gentle treatment—the conversation of kind and intelligent persons;—with men, for example, the Christian Brothers—with females, the Sisters of Mercy—superintended by ministers of the Church who may have given, or may be disposed to give their attention to this, one of, perhaps, the greatest of all works of charity—and we shall find that there is scarcely any form of mental indisposition, short of mere idiotcy, or which does not spring from mal-organization, or disease of the brain, that will not, sooner or later, be greatly mitigated, if not wholly removed, under such a system of cure.

In the way of prevention of intellectual disease, when symptoms of its approach become manifest, or, when it is apprehended from hereditary tendency, an institution established upon the principles we have just mentioned, would be productive of the greatest advantage. Indeed, for every class of Catholics mentally afflicted, or liable to be so, an asylum, conducted upon principles which would afford them the continued assistance of their religion, is a desideratum that ought to have been long since supplied. We have stated, and we believe the statement to be undeniable, that by reason of the powerful and happy influence of our religion upon the mind, the number of Catholics—that is, of Catholics who deserve from their genuine piety to be so called—entered on the catalogue of lunatics, bears a very small proportion indeed to those of any other class. Nevertheless, whatever that proportion may be, it is a matter of direct necessity, that an institution should be founded for the reception of any of our brethren who may, from any cause, be visited by so deplorable an affliction as a permanent or temporary loss of reason.

Such being our settled opinion, it will be easily believed that we feel the deepest interest in the success of a project,

which has already been sealed by the approbation of all the venerable vicars apostolic, and the great body of the Catholic clergy in England. It is, we believe, not very generally known, that for some years, the Rev. R. W. Willson, of Nottingham, has dedicated (with permission of his bishop) much time and attention to the treatment of lunacy; and that, by means of his system—which of course embraces all the aid he can derive from our holy religion—he has, under the merciful care of Providence, been successful to a great extent in almost every case which he has undertaken. It has, in consequence, been pressed upon him to render his sphere of usefulness in this important matter more extensive, by undertaking the establishment of an institution for the reception of Catholics who may, unhappily, be visited by affections of the intellect. We are sure that we need make no apology to our readers for introducing to their notice, and recommending to their pious consideration, the resolutions passed upon this subject by the venerable bishop and clergy of the midland district, as well as the “reasons” by which that resolution is accompanied, and the outline of the plan in contemplation.

“At the meeting of the bishop and clergy of the midland district, held at Sedgley Park, May 13th, 1840,—it was resolved unanimously, that an effort should be made to form an Establishment for the treatment of members of our holy religion, whom an all-wise Providence is pleased to afflict with insanity. The plan should embrace all the consolations of religion—the comfort of the patients being watched over by Catholic attendants—and also, ensure the best medical assistance.

“Many reasons were adduced to shew the propriety of such an important step being taken—among others, the following,—

“First.—There being no Catholic Establishment in this Kingdom for the treatment of the insane—the afflicted are necessarily placed in asylums, under the sole guidance of those who differ from us in religion, and who cannot, therefore, enter into our peculiar feelings on this subject. Too many cases are unfortunately known where patients have suffered much from the prejudice of their protectors—and instances are not wanting, where efforts have been made to proselytize. The late Sir Wm. Ellis, who superintended Wakefield, and afterwards Hanwell Asylum, Middlesex, records in his book on Insanity, published as late as 1838, that he converted a poor Catholic, who was under his care, to the Protestant religion! It is also well known, that Catholic patients have frequently, in addition to their malady, much to endure from the vulgar prejudice of keepers and nurses.

“Secondly.—In asylums, where patients of different religious opinions associate together, dissensions constantly arise—and it is known,

that the strongest desire has existed on the part of certain monomaniacal religionists, to convert their poor Catholic fellow-patients to some dissenting creed.

“Thirdly.—THAT CATHOLICS ARE TOTALLY UNABLE TO ATTEND THEIR OWN DIVINE SERVICE—and from the difficulty the Catholic clergy too often experience, in obtaining access to members of their faith, both in private and public asylums—the greater part of those poor sufferers are entirely deprived of the sweet consolations of religion ; and in too many cases, live and die without any communication with their pastors, and are thus deprived of comforts not denied to the inhabitants of a prison.

“Fourthly.—During the time a patient suffers from aberration of mind, it frequently happens, that the delusions most prominent are those connected with religion, and therefore, they stand in need the more of judicious and consolatory advice from their pastors—and should be sheltered from the ridicule their delusions frequently expose them to.

“These are a few only of the reasons which influenced the assembled clergy in forming the resolution they have come to. The following, then, is a brief outline of what is contemplated :—

“First.—That a house, in every way calculated for the reception and humane treatment of insane Catholic patients, should be erected in some cheerful and healthy situation.

“Secondly.—That it should be under the immediate superintendence of a Catholic clergyman.

“Thirdly.—That all the attendants should be Catholics—and that as soon as circumstances will permit, the afflicted patients should have the watchful and tender care of the sisters of charity, and religious brothers.

“Fourthly.—That a medical gentleman, fully competent to hold such a situation, should constantly reside in the house.”

It was further unanimously agreed to, that Mr. Willson should be requested, on account of his admirable and proved qualifications for the accomplishment of this project, to carry the above resolution into effect. Should he be successful—as we can scarcely doubt that he will be—in procuring from the Catholic body, at large, the funds necessary for this purpose, it is proposed, that the institution should be open to all classes of Catholic patients ; the rich paying a settled sum not under two guineas a week, and those in less affluent circumstances paying according to a graduated scale suitable to their circumstances. We trust that means may be also found for affording the advantages of the establishment to the poor, who may not be able to contribute to its support.

Nor do we clearly see why a lunatic asylum, formed upon Catholic principles, should not be open to members of any other

opinions, whose relatives or friends might be desirous of obtaining for them the assistance of our holy faith, in the restoration of their reason. It is possible indeed, that in a canonical point of view, difficulties might arise, and that it would be questionable, whether, in a case of diseased intellect, our religion could be suffered to be used as an *instrument* for the recovery of a patient, not previously a Catholic. This question we leave in the hands of those who alone have the authority to decide it.

The design of the proposed asylum is an object, towards the accomplishment of which the Catholic institute and its branches will, we presume, lend their most zealous exertions. It is an object strictly within the sphere of their labours. The founders of the institute were at first led to its formation, in consequence of the many complaints which had come under their notice, of the difficulties which Catholics, confined to prisons and hospitals, experienced in having access to spiritual pastors of their own creed. The institute was established principally with a view to attend to all cases of this description, and to take the necessary measures for securing, practically, to prisoners and patients, of our creed, the benefits to which they were entitled by law in this respect. The case of lunatic patients calls with peculiar force for the attention of such an institute; and we rely upon its members, amongst whom we are happy to see enrolled so many of the most distinguished of our body, taking up this most important subject at the earliest opportunity.

Amongst the many cases of suicidal tendency enumerated by Mr. Winslow, we find very few which would not appear to us capable of being prevented, or effectually controlled, by the influence which Mr. Willson could, in his joint sacerdotal and medical capacity, bring to bear upon Catholic invalids. Mr. Winslow mentions several premonitory indications of maniacal disease, which, to the eye of the experienced physician, are well marked, announcing the earliest symptoms of derangement. A change manifests itself in the person's usual healthy habits of thinking and acting—he exhibits odd fancies and whims. Though surrounded by all the means of happiness, he refuses to enjoy them, and prefers to give himself up to apprehensions of misery. He is easily irritated by trifles. He becomes suspicious of his sincerest friend,—imagines plots and conspiracies formed against him,—he no longer relishes his former pursuits and amusements,—he shuns society, and talks incoherently to himself. These are

all tokens of a waning intellect; and although they are not within the jurisdiction, if we may say so, of the physician or the Lord Chancellor, they are precisely the sort of failings to which the attention of a clergyman might be called, without any danger of provoking them into more decided manifestations of mental indisposition.

The friendly advice of the confessor,—the spiritual exercises he might recommend, or even impose, with a view to check the sin of irritability, for as such it is liable to be treated, when penitents do not endeavour to resist it,—the representations he might make and enforce, with a view to allay and remove ill-founded suspicions, which, according to our doctrine, are also sinful in a very high degree, as being against all the rules of charity,—the exhortations he might use against a disposition to gloominess, which is equivalent to the expression of despair in the kindness of a superintending Providence,—would very probably be often much more efficacious for the prevention of mental disease, than any medicine which the pharmacopœia could suggest.

Out of the pale of the Catholic Church, there is no tribunal which takes notice of sloth and idleness. With us, these are considered as among the most deadly sins, and as such we treat them. It very frequently happens, that in these sources mental imbecility and derangement take their rise. If a Catholic be guilty of them, the remedy is, attention to his religious duties. The first thing the confessor will say to him will be: “Find occupation: if you possess a competency, and you have no occasion or desire to increase it by industrious pursuits, apply your time to the duties of charity and religion. Read such and such books. Pray more frequently than you have done. Attend mass every morning. Seek out the deserving poor, and assist them. Idleness you know to be a crime. Sloth you must absolutely correct, if you hope for salvation.” There are appliances of cure in the hands of a Catholic clergyman, which no other person can use with anything like the same power. Dr. Reid recommends a person labouring under these predisposing causes of hypochondria, to engage his mind in the composition of a novel! Any occupation, innocent in itself, would certainly be preferable to idleness; but how transitory and ineffectual would any voluntary literary labour prove—especially to persons unaccustomed to such an avocation—in comparison with the employments afforded by the duties of religion, and which it is in the power of the priest to urge with a voice of auth-

rity not capable of being used by other persons. And we may feel well assured, that it is to the discreet and constant exercise of that authority in the confessional, we owe the almost universal freedom from the suicidal crime amongst practical Catholics. We speak not of nominal Catholics, who pay little or no attention to their duties. The state of sin in which they must usually live (for it is an enormous sin to be mere church-going Catholics—to know all that is required of them in the way of duty, and to neglect its performance) is of itself a great encouragement to the dissemination and growth of mental alienation. Some day or other, remorse will come; and, unless special graces be given from on high, which a reprobate Catholic has no right to expect, the chances are that insanity will ensue.

We find in the *London Medical Journal* (vol. v. p. 51) the causes indicated of upwards of seven thousand suicides which were committed in London between the years 1770 and 1830. Amongst these suicides, nearly three hundred are attributed to losses by gambling alone. We need scarcely observe, that against this vice our much-denounced confessionals afford a safeguard which may be considered perfect. It is utterly impossible that a practical Catholic can be an habitual gambler—or, indeed, a gambler at all to any extent. The power of our clergy to prevent the occurrence of suicides from this cause, amongst persons who frequent the holy tribunal, may be said to be complete.

Another cause of suicide mentioned in the journal we have just referred to, is poverty. From this cause, fourteen hundred persons are said to have destroyed themselves in London within the period we have mentioned. The poor Catholic who attends to his duties even superficially, is constantly accustomed to hear those consoling words addressed from the Mount: “Blessed are the poor in spirit, for theirs is the kingdom of heaven. Blessed are they that mourn, for they shall be comforted.” There are no members of our congregations in whose regard our Church and pastors evince more endearing solicitude, than they do for the poor, in fact, as well as in spirit, whose lot often tempts them to mourn. That solicitude, frequently expressed in the most parental accents, is of itself a consolation to the working classes, which tends to cheer them in their struggles through life. Hence it is, that amongst our Irish population, oppressed as they are by poverty in its most appalling forms, suicide is almost

never heard of—not even when famine is added to their other sufferings.

“Domestic grief” is stated, on the same authority, as another cause from which originated twelve hundred and fifty suicides within the period mentioned. For this disease, if such it should be called, no remedies can be more efficacious than our confessional, and the constant attendance of our clergy in every house where causes for domestic grief exist. A parent, a child, a much-loved friend, is on his death-bed. Those that love him are around him, weeping. The Catholic minister is seated by the side of the sufferer. He reads the prayers, and offers the supplications, and administers the last rites, of the Church. But he does not confine his functions to the dying;—the living also claim his solicitude; he speaks to them of resignation, of confidence in the goodness of Providence; and leaves them comforted. Nature, indeed, must have her way for the moment; the deep emotions of grief express and exhaust themselves in tears;—but they soon subside under the chastening influence of our offices for the dead. The “Requiem” composes the soul to peace; and the “Dies Iræ” and “Miserere” warn us to prepare for our own transition to those regions in which we may enjoy, with all those pure souls that have gone before us, bliss that is to have no termination.

In short, it is not too much to affirm that, of the seven thousand cases referred to above, not fifty most probably would have occurred, had the persons been practical Catholics. We may further express our confident belief, that if our holy religion were now to resume its ancient sway throughout England, the crime of suicide would be speedily eradicated from amongst the people of that country. It is a crime, we regret to observe, constantly increasing there, from year to year; nor do we see the slightest chance of its being diminished, unless it may please a merciful Providence to restore to her the ancient faith.

How trifling—how operative—are the remedies, under the head of “Moral Treatment,” which Mr. Winslow suggests, compared to that medicine of the soul—the Catholic religion! “Travelling,” he says, “agreeable society, works of light literature, should be had recourse to, in order to dispel all gloomy apprehensions from the mind.” These are good auxiliaries in their way, no doubt; but of what use would they have been to the fifteen hundred poor who figure in the dark catalogue of the seven thousand suicides already men-

tioned? Lord Bacon advises, that "if a man's wits be wandering, he should study the mathematics." Mathematics, we fancy, would have little attraction for the victim of "domestic grief," the unfortunate speculator in trade, the gambler, or the drunkard. The Egyptian priests of old had temples purposely set apart for the cure of hypochondriacs. They took care that their patients should constantly have before them a succession of agreeable paintings and striking statues, and sweet and solemn music; that they should be present at religious ceremonies, and enjoy the fragrance of perfumes, and all the delights arising from gardens of flowers and ornamental groves. Such was the success of this mode of treatment, that the physicians of those days recommended their mentally-affected patients to repair to those celebrated temples, as the faculty of the present day advise a trip to a German spa. This fact speaks volumes in favour of the Rev. Mr. Willson's project. For if the solemnities of a pagan form of worship could work benefit to a "mind diseased," how much more efficacy might we not expect from the influence of the true faith!

Mr. Winslow states, that "the relative proportion of Protestants to Catholics in the canton of Geneva is, according to the census of 1834, as 77 to 56; that is, of 133 inhabitants, there are Protestants 77, Catholics 56." He adds: "Of 133 cases of suicide, there are Protestants 107, Catholics 26." He very justly observes, that "this result should attract the attention of those who are interested in the moral and religious education of Protestants." It undoubtedly should. It adds another to the long train of facts which tend to demonstrate the thousand degradations to which the human mind is subject, when it is not under the control of our sacred religion.

Legislation can effect very little good in preventing the crime of suicide. The old enactments which ordained that the body of the *felo de se* should be deprived of Christian burial, and his property confiscated to the use of the crown, has fallen into utter desuetude, as in modern times juries almost uniformly presume insanity before the act is committed; although cases occur every day which offer a very slight basis indeed, or rather no basis at all, for any such supposition. The punishment, such as it is, has therefore failed altogether of its purpose. Nor do we know of any other penalty capable of being applied against this growing crime, which could have the slightest chance of a better fortune. It

is one with respect to which means of prevention alone can be of any practical advantage.

There are, however, one or two great reforms which the law might effect with reference especially to the prevalence of this crime, and indeed of insanity in general. We are clearly of opinion, and we apprehend most people will agree with us in thinking, that the publication in newspapers and other journals, having extensive circulation, of suicidal cases, accompanied by all the details of circumstances, down even to the minutest points connected with them—the appearance of the body after the deed was done; the gashes in the throat; the shattered brains; the pools of blood; the fragments of the skull; the blackened complexion; the rope; the pistol; the razor; the evidence before the inquest; the preceding symptoms of mental aberration; the terrible romances of private life, which that tribunal so often reveals; the miseries of disappointed ambition, of crossed or ill-requited affection, of suffering from remorse and wounded pride, and jealousy, which the coroner brings to light—cannot but contribute to the increase of the crime. Some readers will be affected by sympathy; some will be encouraged by example; some, already disposed to suicide, will, after perusing these recitals, hasten at once to put their resolves into execution; some, who had hitherto struggled against the propensity, will yield the contest in despair; some, perhaps, into whose minds the thought of suicide had never before entered, submit to the contagion which the crime is so apt to impart to nervous persons. The friends of the late Mrs. Radcliffe (author of the *Mysteries of Udolpho*) were obliged to keep carefully out of her sight, during the latter years of her life, any newspapers in which even a murder was related, as it would throw her instantly into a morbid state of feeling of the most dangerous character. There is no question at all, that the police reports of suicides and murders, emblazoned as they are by all the art of the writers, produce a most demoralizing effect upon society. Those writers are generally paid in proportion to the quantity of matter which they produce, usually a penny for each line. It is very natural that they should make their accounts as long as possible, and that they should rather exaggerate than diminish every feature belonging to each case, which might render it more acceptable to the vitiated taste of the day. The admission of their articles for insertion depends often on the graphic style in which they are composed, and it cannot be denied that they frequently display much talent in this

class of composition. But this is one of the characteristics which render these reports most pregnant with mischief to public morals.

Who can doubt that the suicide and the murderer, in addition to the direct crimes which they perpetrate, incur a further guilt by the evil example which they give to society? If this be true, it follows that those who by the voluntary publication of those crimes widen the sphere of the influence which those examples exercise, must share, and share very largely too, of the moral guilt which is contracted by the original criminals. The publication, too, for the sake of gain augments that guilt; and when to the first features of the crime others are added, by way of embellishment, and for the purpose of attracting to them the attention of the public, we should ill perform our duty if we did not declare here our decided opinion, that all such publishers and writers are, in the contemplation of every religious and moral law, deep partakers of every crime to which the reports they write and circulate may give rise.

Nor can we discover any species of benefit which those reports can possibly confer upon the community. It has been frequently stated that the public execution of convicts does much more harm than good; and we believe that statement to be perfectly correct, if for no other reason than that it tends to diffuse the example of the convict's crime, whatever it may be, through a large mass of the depraved members of society, who assemble on such occasions, and who probably might otherwise have never heard of it. Now if the example of crime, actually attended with capital punishment, produce evil consequences, will not the relation of criminal deeds, unattended by punishment, and often escaping from it by the cunning contrivances of the perpetrators, be still more opposed to the progress of order and morality?

The question, in our judgment, admits of no argument. The results are plain, and on the very surface of the subject. It has not, we are willing to believe, received from the conductors of the respectable public journals in this country, the consideration it deserves; and we know of no adequate remedy for the suppression of the evil, except the enactment of a law which shall treat the voluntary reporters and publishers of all such crimes as abettors of them in every sense of the word. They are abettors of them. They are the confederates in guilt of the suicide and the murderer, in every case which results from their publication of those deeds; and from this position no sophistry can relieve them.

"Then," it will be said, "the doors of all the criminal courts of justice, the inquest room, and the police offices, ought to be closed, the moment such deeds as these are about to undergo investigation; and it is very well known that the publication of the preliminary inquiries has led to the discovery of evidence, but for the production of which many criminals might have evaded the hands of justice." Be it so. The number of cases in which such publications have assisted in the detection of guilt are few compared with those in which they have augmented the ranks of the guilty. The balance is enormously in favour of suppression. And, indeed, whether it be so or not, the act which renders a man, even in one instance, instrumental to the sin of another, by making him familiar with the example of that sin, renders the diffuser of that example a deep participant in all the crime which it produces, directly or indirectly. The fact that he (the diffuser) is a reporter or publisher by trade, does not at all relieve him from moral responsibility, for he owes no duty to himself, or any other person, which imposes upon him the necessity of doing evil, even should from that evil emanate universal, not to speak of partial, good.

In conclusion, we cannot avoid observing, that Mr. Winslow's treatise, though, undoubtedly, it has the great merit of calling the attention of the faculty to the discovery and application of means for the prevention of suicide, is by no means well arranged: that many considerations arising out of the cases which he enumerates, are altogether passed over, or very superficially handled; that his work seems to have been put together with great haste; and that by the needless multiplication of cases, and the relation of many circumstances by which they were attended, wholly unconnected with his professed object, he has administered (we hope unintentionally) to the depraved appetite of the day for narratives of this description.

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ART. IV.—1. *The Sportsman in France.* By Frederick Tolfrey, Esq.

2. *The Encyclopædia of Rural Sports.* By D. Blaine, Esq.

IT has been said, and truly, that of all the arts cultivated now in these realms, the art of bookmaking has attained the highest degree of perfection. Whether the subject chosen be one of any interest or not—whether the traveller have ever

progressed a dozen miles beyond the sound of Bow bells—whether the historical novelist know more of history than the worthy Irish gentleman who stoutly asserted that queen Elizabeth was the next *king* after Henry the Eighth—the crude and scanty materials are placed in the hands of a skilful artist, who dilutes their native inanity, and, by the addition of certain zests and pungent relishes, gives to the whole such a flavour as the far-famed ragout of Madame de Pompadour's slippers may be supposed to have had, when smoking from the hands of the ingenious *chef de cuisine*. We confess that our tastes are sufficiently old-fashioned to prefer the hearty “cut and come again” fashion of our ancestors, to all these modern fripperies; but the public will have new books,—and the *quocunque modo rem* was never better exemplified, than in the manner in which its craving appetite is supplied.

Of the works before us, the first is the only one which belongs to this class of literature;—and it is rather a fair specimen of the tribe. Any information it conveys to the sportsman, could be comprised in half-a-dozen octavo pages. The author's sporting adventures are such as might be devised by any ingenious gentleman, without wandering a dozen yards from his own fireside. The author is the hero of his own work, and ekes out his volumes with ancient Joe Millers, libels upon members of the Catholic priesthood, and scandalous hints at the characters of individuals, of whom—for he wisely gives only initials—all we know is, that he was a partaker of their hospitality. His knowledge of natural history seems to have been very limited, as he states that he traversed many miles of moors in France, in search of the red grouse (*Tetrao Scoticus*), which is known to be only a native of the British islands. Nor does his acquaintance with the history of maritime discovery appear very extensive; for in a chapter on Canada, (lugged in, head and shoulders, in the second volume—to *fill up*, we presume) he mentions Jacques Cartier casually, as “a Frenchman who discovered”—what?—why merely a river, which now bears his name. It is strange that Mr. Tolfrey should have spent so much time in Canada, without learning something of the history of its first discoverers and settlers; and that meeting with the name, he should not at least have endeavoured to discover whether this “Frenchman,” after whom the river “was christened,” had any further claims on the gratitude of posterity, than the discovery of the stream where Mr. Tolfrey caught salmon.

How the English press would open upon any unfortunate Frenchman, who, in speaking of "Cook's Straits," should say that they were "christened, it is said, after" an Englishman who discovered them. The amount of Mr. Tolfrey's "discoveries" are, that grouse are not to be met with in France; that "Jacques Cartier" was a Frenchman, who gave his name to a salmon stream; and that English guns are better than French—a fact which, we believe, has never been controverted. Still, his book is an agreeable trifle, and may well beguile some of the many idle hours of his brother sportsmen. We have heard that he is about to publish his sporting experiences in Canada. We hope that he will not pollute his pages with any further ribaldry against the Catholic clergy; should he, however, repeat his offences, he will find that his "Colquhounisms"—to coin a word for the occasion—shall not pass unpunished.

Mr. Blaine's book is hardly a fair subject for criticism; but we notice its publication, as it has been long a desideratum, and must form a prominent article in every sportsman's library. The compiler is already well known as the author of a valuable and scientific book on "Canine Pathology." Old sportsmen are generally unwilling to transmit the information which they have gleaned to succeeding generations; and when they do, it is given either orally, or confined to the pages of that *olla podrida* of all that is strange, a family receipt book. Some "sporting dictionaries," valuable in their time, were published—the best of which was the "Complete Sportsman, by Mr. Osbaliston," a member of a family long famous in the sporting world. But these have all become obsolete; and Mr. Blaine's compilation has appeared at the right time to supply the deficiency that was felt in sporting literature. The style of the work is clear; the information ample, and well assorted; the receipts short, clear, and easily understood; and the instructions such as are necessary to many, and must be useful to all. That the perusal of such a work will enable a man to fill his game-bag or his fishing basket—unless he be a good shot, or an expert fisherman—is not, of course, to be expected; but it will at least show him how such things may be done.

Mr. Blaine appears to have spent some time in Ireland; but assuredly he never visited Killarney, or he would not have allowed his pages to be disgraced by such a plate as No. 82, which professes to give a view of a stag-hunt on that lake, and which he, unfortunately for himself, connects with

the account of one of the most magnificent hunts ever witnessed on Loch Laue—one, namely, which was given in honour of the present Lord Chancellor of Ireland, when Attorney-General; and which, if we mistake not, was witnessed by Miss Edgeworth, and the late Sir Walter Scott—who, like almost every other great man, was, heart and soul, a sportsman. He also omits entirely the mention of hurling or gooling, as an Irish amusement. To be sure, he states that his visit to Ireland took place during the rebellion; but could he have witnessed the exertions, the animation, the skill, and the athletic powers, displayed during a good gooling match, he would have certainly given the exercise a prominent place among the rural amusements of the Irish.

By the way, while the press is teeming with sporting tours, and groaning under the weight of the descriptions of the field-sports of every country from Lapland to India,—how comes it that so few authors have deemed Ireland worthy of their notice? Mr. Hamilton Maxwell's *Wild Sports of the West* have more of romance than reality in their details; and the other publications on the subject are either rendered useless by the ignorance, or so tinctured by the prejudices of the writers, as to be nearly valueless; and yet no country offers a fairer field to the true sportsman. As it has been hitherto so shamefully neglected or maltreated, we may be excused for devoting a few pages to laying before our readers the facilities and advantages which it offers to the zealous and untiring pursuer of rural amusement.

“We do not write for that dull elf” who requires to be cautioned that he must be prepared to undergo occasional hardships and privations in such a pursuit. These, every true sportsman will be prepared for, and, as far as possible, provided against. Cheerfulness, good-humour, and a disposition to make the best of everything, will gain the hearts of the people for the stranger, and save him from such a designation as Lady Morgan mentions to have been bestowed by an Irish waiter on a more than ordinarily querulous traveller,—when Paddy was interrogated as to the cause of a noise, “Sure it's only the *cross gentleman* calling for his breakfast;” accompanied by the enunciation of the said Patrick's determination, that “The more the cross gentleman called, the more he'd keep never minding.” He must also avoid the example of a worthy M.P., who finding, at the commencement of a tour which he meant to have extended through the four provinces, that he could not obtain Cheshire cheese at a road-side inn,

in the county of Wicklow, returned in a pet to Dublin, and thence to Liverpool by the next steamer. But to compensate for the occasional want of such trifles, he will find abundance of good, though perhaps somewhat homely, fare ; and he must be a bad artist, if he do not furnish his larder sufficiently by the produce of his rod or his gun.

One other word of advice we will venture to offer. Let him place his politics, for a time, in abeyance ; and going merely as a sportsman, avoid, as far as possible, all discussion of those points on which most men differ, and confine himself to those on which, though few agree, yet no asperity flows from argument ; namely—the comparative merits of the flies, the rods, the guns, dogs, horses ; and, if he be a sportsman at all points, the yachts of those present. Let him also be ready to “give a joke and take a joke,” (the shortest cut to an Irishman’s heart), and he may go through the country from Connemara to Cavan, and from “Fair Head to Kilcrumper,” and be met every where with good-humoured kindness, and receive the “hundred thousand welcomes” of the warm-hearted people, to every description of rural sport in their vicinity. At no season of the year need he lack amusement. If he be a fox-hunter, a few days with the Kildare, Kilkenny, Ormonde, Limerick, or some of the Connaught hunts ; or with that prince of good, though also of queer, fellows, the Marquis of Waterford, in Tipperary, will serve to show him the nerve and spirit of Irish men, horses, dogs, and foxes. He must, however, curb his Meltonian superciliousness, and look with a tolerant eye upon such enormities as the green frock coats, buff-coloured breeches, and brown-topped boots, of some few of the congregated sportsmen : nay, he must suspend his judgment even upon some doubtful-looking specimens of horseflesh, until he sees them fairly tried, when he will probably find that they, in the words of the common saying, “are rare ‘uns to go, tho’ rum ‘uns to look at.” We have often seen a raw-boned vicious-looking mule, of somewhat gigantic dimensions, take and keep a good place among a numerous and well-appointed field, and with a very fast and killing pack of fox hounds. And such things are yet to be met with, though, of course, but occasionally. If the stranger be a fisherman, from Donegal to Waterford the rivers teem for him with countless treasures. He may try the Shannon, where, as we have heard an old fisherman say, “you may take all kinds of fish, from a pinkeen (minnow) to a porpoise ; and see all kinds of vessels, from an osier-woven skin-covered canoe to an iron

steamer." He may visit Killarney, and gratify his taste for scenery and salmon; mountain trout and mountain views. At the same time, from Killarney a short journey will place him beside Loch Cara, where he will find the salmon in season all the year round; or on Blackwater Bridge, near Kenmare, where he can fish either down to the Kenmare estuary, or upwards to Lough Brin, and be certain of being well repaid for his trouble. From either of these localities, he can enter Iveragh—" *Leonium humida nutrix*, the birth-place of O'Connell," as Blackwood has termed it—and find abundant employment for his time on Lough Leagh (or the Gray Lake); or in fishing Waterville river, as the embouchure of the lake is termed. He will find comfortable inns everywhere in his vicinity; and must be indeed hard to be pleased, if he be not delighted with his excursion. If fond of pike fishing, let him betake himself to the Lakes of Clare, or West Meath; pike being unknown in the rivers and lakes of Kerry. But while in the latter "Kingdom," if he choose to vary his sport by sea fishing, the coast swarms with almost every known species; and he may load his boat, in the proper seasons, with turbot, halibut, cod, mackerel, whiting, haddock, hake, pollack, gurnet, ling, smelts, pilchards, and herrings; and benefit the fishermen by the destruction of sharks, dog-fish, ray, and congers. If he seek for shell fish, he can supply himself with oysters, lobsters, sea cray fish, crabs, cockles, and muscles, to his heart's content. If a rifle shot, he will find seals, porpoises, otters, and martins, to test his quickness of eye, and truth of aim: or he may earn the blessings of the shepherds, by the slaughter of eagles, hawks, and ravens. Does he claim the title of an undaunted cragsman, let him ascend the Skelligs, and traverse the seven penitential stations, from the "Yellow Cross" to the "Spit": or disturb the meditations of the gannets, and scare the other numerous tribes of sea-fowl from their nests. Here, if an ornithologist, he will find ample employment, and add materially to his collection. In short, the follower of any branch of science will never lack sufficient occupation in this district: and the botanist, the zoologist, the mineralogist, and the antiquary, will each reap the most abundant harvest. As the season advances, the young broods of wild duck, teal, &c., become fit for the gun; and will put the sportsman in practice for the grouse shooting. But before he leaves this district, he will, if a true sportsman, endeavour to have, at least, one day's hunting with "the Liberator," when he will enjoy a species of amusement, now

rarely, if at all, to be met with elsewhere. He must be stirring with the first light—Mr. O'Connell generally setting out for his hunting ground at four in the morning; and, if he would keep pace with *him* in his walk to the rendezvous, he will find that some previous practice, under the instructions of the famed Capt. Barclay, is extremely desirable. He will find the hunting pack small in number; seldom exceeding nine couple, about twice that number being left in kennel; but he will see at once that they understand their business—that they are just the description of dogs for a mountain country;—well sized, but not over large; light bodied, but deep chested, and not at all leggy; well hung about the head, and most musical in tongue. Talk of Italian and German concerts! never was such glorious music as the cry of that little pack will draw from the breast of the grey mountain, wakening Echo in her thousand caves, and seeming to make the giant crags tremble at the roar. They will not be long before they come upon a trail, and the sagacity with which they unravel the various windings thereof, will delight the true sportsman. They are never helped—never lifted; and their losing a hare is a thing almost unheard of. Their blood is pure Irish, descending from an ancestry as remote as that of the Milesians who followed the chace; and their vigour, endurance, and instinct, are almost unequalled. Some of the mountaineers always keep near them, in order to pick up the hare when killed; and “the Liberator” is never far in the rear. Two hares being killed, breakfast is announced; and the hungry sportsman finds a cloth laid in some grassy dell, covered with a profusion of cold meats, hot potatoes, sandwiches, and not unfrequently a dish of mountain trout reeking from some cottage gridiron; and copious accompaniments to these are provided, in the shape of tea, coffee, milk, cold punch, porter, cider, and spirits of various kinds; of which latter articles there are now but few partakers in this neighbourhood, gentry and people being almost, without exception, followers of the “Apostle of Temperance.” Breakfast over, the stranger may amuse himself for awhile in reading the newspapers, or smoke a cigar, and look forth, over abrupt precipices and across deep and romantic glens, on the Atlantic, and muse on what “Brother Jonathan” is about. But when “all hands” are refreshed, he must be ready for a fresh start; and must be very unlucky if he do not see five or six hares killed by fair hunting, and fastidious indeed, if he do not declare himself pleased with his day's amusement. Mr. O'Connell

generally hunts three times a week, while in the country. We have frequently seen eight or ten hares killed in the course of a day; and the slaughter of the season generally amounts to near, if not above, two hundred: still no deficiency in their numbers is observed. The shrubberies about Darrynane form an admirable breeding ground for them; and the people preserve them most strictly, never allowing a hare to be disturbed—and are delighted when they have the opportunity of showing the result of their care to "the Liberator," as they universally call him. As for himself, he is not only an enthusiast on the subject, but a most skilful huntsman; and never did he apply his great legal knowledge and natural acuteness to discover a mode of evading the provisions of an "Algerine," or rendering those of a "Coercion Act" nugatory, with more zeal than he does his acquirements in the science of the field, to baffle the wiles, and discover the doubles of a hare. And we question, whether his triumph in the one case afforded him more delight at the moment, than his unfailing success in the other causes him almost daily to manifest.

It may be necessary to state that, in Ireland, grouse shooting does not commence until the 20th of August, nor partridge shooting until the 20th of September; and that frequently, in districts where the harvest is late, the latter is postponed until some day in October, fixed upon by common consent. Grouse shooting also terminates on the 10th of December, and partridge shooting on the tenth of January. Thus (the season beginning late and ending comparatively early) the birds are a longer time unmolested, and the vaches and coveys are stronger on the wing and better game when they are first sought. Partridges are now comparatively scarce in Ireland, and, unless some pains be taken to restock the country, there is room for apprehension that the breed will shortly become extinct. In districts where fifty or sixty brace could formerly be met with, and twenty brace "brought to bag" in a day, not a bird is now to be found. Still there is a fair proportion in many parts; and the sportsman who likes to look for his game will find abundant amusement, and get well-grown and really *game* birds, instead of the cheepers which too often make up the greater proportion of those "murdered" in England, in the early part of September. Quails are numerous, and are met with both when partridge and snipe shooting.

The land rail, or corn crake, abounds so much in the grass lands near Dublin, that a season for their shooting has

been established; and from about the 10th of May to the middle of June they are eagerly pursued by the residents in or near that city. The shooting ceases when the birds have paired, and they are no more looked for. Of course they are met with by the partridge shooter, chiefly as single birds, and some few then killed. No bird is more delicious than the corn crake, and eight or ten brace can be easily shot in a day during the season we have mentioned. To find them the shooter is generally accompanied by a brace of steady pointers, and provided with a *rail call*, which is made from two horse, or beef, ribs, one serrated on the edge, the other left smooth, and both polished. By drawing the edge of the smooth bone over the rough edge of the other, a sound is elicited which perfectly resembles the call, and is responded to by every amorous individual of the corn crake tribe within hearing. Having thus ascertained the *habitat* of the birds, the pointers are cast off, and the birds are soon forced to take wing, when they form an easy mark. In autumn, however, their flight is stronger, and resembles that of the quail. The birds are then not so acceptable to the gourmand as in May or June, when they are literally bursting with fat; and this may form one reason why they are then neglected.

The broods of grouse are also, from the late commencement of the season, strong on the wing, and from being a good deal harassed by dog trainers (there being a notion prevalent in Ireland that a dog trained on grouse is superior to one whose education has been conducted on any other species of game) are generally wild and wary. This of course tends to prevent the wholesale slaughter which takes place in Scotland and on the English moors; but the sportsman must be either on a bad beat, or in very bad luck, or there must be a "screw loose" somewhere, either in his powers or his appointments,—a scarcity of *straight powder*, or a superabundance of whiskey punch,—if he do not bag some hundred head of these noble birds during the season. Eley's cartridges, No. 7 shot, will be found very useful for the second barrel. We would recommend that a spare gun be always brought to the hill. A seasoned ash, hazel, holly, or mountain-ash pole, about six feet long, will be found an useful auxiliary in climbing and getting along over the very ticklish ground where grouse are chiefly found; and if the sportsman have a sling to his gun, he will find it conduce much to his comfort to carry it on *bandolier* until he requires to use it. A little practice will enable him to unsling it with speed, ease, and safety; and it

is thus carried with much more safety than in any other way. There is no greater mistake than in imagining that very large shot is necessary to kill grouse. No. 6 is almost *too large*—we seldom use anything larger than No. 7, either in loose shot or cartridges; and have shot for some seasons entirely with No. 8, or with 7 and 8 mixed. Mr. Blaine is, we think, quite right in discarding the old prejudice against mixed shot. And in the winter, when, in looking for cocks on the mountains, one frequently falls in with duck and teal, and is always sure to meet with snipe in dozens,—we have found a mixture of Nos. 6, 7, 8, and 9, answer all purposes. Of course, in very boisterous weather larger shot will be necessary for the grouse shooter; but he should never go beyond No. 5,—and, we should think, will find No. 6 quite large enough. If, in such weather, he should prefer to use Eley's cartridges alone, we can assure him that No. 7 will answer *all* his purposes—particularly if he shoot with a gun of 14 guage, which is much the best for general use. Our English friends must be prepared to undergo a good deal of fatigue, while grouse-shooting in Ireland. From the nature of the ground, it is almost impossible to ride, unless by bridle paths, to the spot where the sport commences,—when the poney may be safely turned loose to graze. The sportsman should go slowly over his ground, and try it well. Some men have a fancy for racing ahead, and thereby leave the close-lying birds behind them; while the “knowing old hand” perseveres in trying every likely, and frequently every unlikely spot,—and is rewarded for his patience, perseverance, and tact, by getting better shots, and killing more game, than the “wild huntsman” who, with dogs as wild as himself, is scouring along miles in front, and waking the echoes, not with the reports of his gun, but the bellowings of his most unmusical voice. Do not shoot the packs too close; and, above all things, spare the hen birds. A little practice will soon enable you to pick out the cocks. Shoot the father of the family without mercy; and treat every *stager* as a pirate. It will be found a good rule, not to kill more than one-half of a pack; and if there be an odd number in the pack, to let the survivors be in a majority of one over the slain. You will thus secure future sport,—enhance your welcome on the next occasion,—and, what is of some value, earn the good-will, and good word, of the gamekeepers and attendant gillies. You should always be provided with a supply of *tobacco* for these gentry; it literally *warms* their hearts towards you; and, in these tem-

perate days, is doubly acceptable,—when, as they say themselves, “smoking is the only diversion they have left.”

The attractions of Ireland to snipe and woodcock shooters are well known ; but it is as yet nearly an unexplored country by the followers of that branch of shooting which Colonel Hawker especially patronizes, and in which the “wild fowl artillery” comes into play. And here let us offer the meed of our gratitude to the gallant Colonel, for his most valuable publication. It forms our constant companion, and never-failing reference, on sporting excursions. We have perused every edition of it, from the first to the last ;—derived much useful information from it, in more inexperienced days ;—and always found something to reward us for the pleasing toil of overhauling each new edition. On the mountain, or by the stream—in the snipe bog, or seated in our shooting quarters—we find fresh reason to thank him for his lessons, and trust he will long be spared to enjoy the amusement of which he taught so many to partake. To the sportsman in this peculiar line, Ireland offers many inducements. In the first place, very few are provided with the necessary apparatus. We question whether the entire country can produce a dozen “big guns,” though it has always been fertile in “great guns.” The hooper, or wild swan, is infinitely more common than the tame species. There are several species of wild geese. All the varieties of the duck tribe found in England abound ; and certain localities are favoured by the annual visits of the barnacle. Among these last, are Tralee Bay, Wexford Bay, Belfast Lough,—we believe, Clew Bay,—and some localities in Donegal. The bittern is also to be met with, and is considered a great delicacy—the neck being the part most esteemed. The Shannon is literally covered in parts, during winter, with duck, widgeon, and wild geese ; and the lakes of Clare, Westmeath, and the rivers in Roscommon, &c. afford them in equal profusion. Wexford is the only place frequented by the “big gunners ;” and even there the gunner “Buckler,” whose pathetic lamentations Col. Hawker has given to the world, might be certain of getting, not merely “a few heavy shots in peace,” but sufficient to keep him fully employed, and repay him handsomely. We wish the Colonel himself would try the result of an excursion to Ireland ; we are sure that he would be welcomed by every true sportsman in that country,—and he might perchance pick up a few *wrinkles* which would be found useful hereafter.

The snipe shooter, as we have said, will find Ireland the land, not merely of abundance, but of profusion ; jacks and full snipes he can fire at until tired. We have heard of the solitary snipe, and have met several birds leading solitary lives, and of much larger size than the ordinary snipe. Still, we do not consider the solitary snipe as a distinct species, but rather think that they are what would, as grouse, be called "stagers :" old gentlemen and ladies, to wit, who are past their prime—who rejoice in single blessedness, and like human beings of "an uncertain age," have increased in corpulence, by solitary indulgence in the good things of life : this is, however, we believe, an unsupported opinion. Of woodcocks, the dwellers on the coast state that there are two immigrations ; one from the north of Europe, the other from North America. Certain it is, that woodcocks, differing materially both in size and plumage, are met with ; that sometimes the sportsman will meet with only the larger, and sometimes only the smaller variety ; and that there are male and female of both. A friend of ours, who was long in Canada, and has shot many brace of woodcocks there, has told us, that the smaller variety exactly resemble the woodcocks he has killed in America. And here we leave the question. The sportsman will find more than sufficient of both, whether Yankee or Norwegian, to reward his toils ; and we can only wish, that he may enjoy this "fox hunting of shooting," as Col. Hawker has called it, with as keen a zest as we are wont to do. Pheasants have been introduced, and are increasing in numbers in Ireland : though if, as is reported and believed, they drive the woodcocks from the covers where they inhabit, we confess that we have no wish to see them extensively naturalized.

As for dogs, we prefer the high-bred—high-mettled Irish setter. Of pointers, there are some excellent strains ; but for a companion in the field or the house, as a friend or a servant, our leaning is towards the setter.

If the sportsman wants a good gun, at once cheap and serviceable (and the saving of some ten or twenty pounds is not a matter now to be despised), he may be admirably supplied in Ireland. Messrs. Cavanagh, the Brothers Rigby, and Mr. Trullock, of Dublin, are excellent artists ; Mr. J. Crispin, of Cork ; Messrs. Mara, Colgan, and Boyd, of Limerick, are also good manufacturers. In short, he can nowhere be at a loss, and will get a first-rate "tool" for about thirty guineas.

To the yachtsman, above all others, we would recommend

a cruize to Ireland : he will nowhere find a bolder or more romantic shore, finer estuaries, or safer or more numerous harbours. He can easily "bring up" in the vicinity of good shooting and fishing ; and when inclined to remove, can "up stick—up anchor," and "make a fair wind of it either way," secure of soon finding equally good anchorage and good sport in his next resort. If he participates in the feelings of all true seamen, he will rejoice in the opportunities afforded of trying the powers of his vessel amid the billows and breezes of the Atlantic ; while, if he delight in regattas, he will be gratified by those of the Royal Cork Yacht Club, at Cove ; Royal Western, in the Shannon ; Royal Northern, at Belfast ; and Royal Irish, in Dublin Bay.

It will be observed that we have said nothing of coursing or horse racing, and for this reason ;—that we think, as at present practised, they come rather under the class of inducements to gambling, than of legitimate sporting. The latter may be defended on the score of the improvement in the breed of horses effected thereby. But though we will not say with Mr. O'Connell, that we "hate a greyhound," we may be permitted to doubt the utility of encouraging the breed of "long dogs." That the land affords ample facilities to the lover of either is well known ; but most certainly, while we are permitted to enjoy on shore, the various amusements we have depicted, and can feel the pleasure which none but a true sailor can experience in the good qualities of his vessel, and the steady daring of his crew, we shall not interfere with the avocations of the professors of either.

ART. V.—1. *Leibnitzen's Deutsche Schriften*, herausgegeben von G. Guhrauer. Berlin : 1838-40.

2. *Leibnitzen's System der Theologie, nach dem Manuscrit de Hanover, den lateinischen Text zur Seite ; übersetzt von Dr. Räss und Dr. Weis. 3te. vermehrte Auflage. gr. 8vo. Maintz : 1825.*

3. *Exposition de la Doctrine de Leibnitz sur la Religion (ouvrage Latin inédit, et traduit en Français), avec un nouveau Choix de Pensées sur la Religion et la Morale, extraites des ouvrages du même Auteur ; par M. Emery, Ancien Supérieur Général de St. Sulpice. 8vo. Paris : 1819.*

**G**ODFREY William, Baron Leibnitz, was one of those extraordinary men whom, at rare and distant intervals, nature sends into the world, in the prodigal exercise of her

creative powers, and as if to display their wondrous versatility. With a compass of intellect which falls to the lot but of a favoured few, he cultivated every branch of human knowledge, and excelled in all; a critic of the highest order, an historian not unworthy of the classic times, familiar alike with the earliest monuments of ancient learning and the newest theories of modern science. He possessed faculties which men are wont to deem irreconcilable. With an exquisite literary taste he combined a passion for the most abstruse mathematical studies; he united the most refined subtleties of metaphysical speculation with the minutest details of practical knowledge; and, unlike most minds gifted with this universal power of application, his prodigious intellect excelled in each department, as though it had been confined to that alone. In elegance of historical composition he is not inferior to De Thou; the equal of Puffendorf in jurisprudence, the worthy antagonist of Bossuet in scholastic divinity, the successful opponent of Locke in psychology, the rival of Newton in the unexplored regions of abstract mathematics!

But, high as was the place assigned to Leibnitz by his contemporaries, and varied as were the grounds upon which their admiration was founded, his posthumous works present him to posterity in a light entirely new. His letters to Pélixson, on toleration, had proved that the vast variety of his profane reading had not prevented his attending to the less inviting studies of divinity; and his voluminous correspondence with Bossuet displayed theological acquirements not unworthy his character in other departments. But it was not until the Abbé Emery rescued from the dust of the royal library at Hanover, where it had laid for a century, the extraordinary work which stands second upon our list, that men saw the prodigious stores of erudition, which here, as in all else his mighty mind had collected, and the daring originality with which, though a Lutheran and the minister of a Protestant court, he had shaken himself free from every prejudice of birth, of education, and of political association.

The *Theological System* of Leibnitz, published for the first time in 1819, although still but little known in these countries, was comparatively old upon the continent when we entered upon our literary labours. We have long entertained the purpose of submitting it to the notice of the public; but the present position and future prospects of parties in the Anglican Church prevent us from regretting the circumstances which have compelled us to defer until now the notice which we have

long contemplated. Recent events have concurred, far beyond the expectations of the most sanguine, to prepare the public mind for its singularly important spirit. The silent, but rapid, steps by which the Catholic movement is daily advancing—the freedom and familiarity with which, in the bosom of the Anglican Church, principles and practices hitherto deemed exclusively ours are put prominently forward, and the serious and earnest interest with which even those who do not share the feelings observe and study its progress—all assure us that a time has come when the opinions of such a man as Leibnitz may have their full weight: a translation of the work is, we understand, on the eve of publication; but we conceive that a brief outline of its character and contents may do good service in this important crisis, to the cause of truth and charity.

During the reign of the irreligious philosophy of the last century in France, the desire of opposing the great name of Leibnitz to the contemptuous dogmatism of the new school, induced the young Abbé Emery to publish, in 1772, a collection of his opinions under the title *Pensées de Leibnitz sur la Religion, l'Eglise, et la Morale*. Of this work the zealous author gave a new edition, with numerous and important additions, in 1802. He regarded this collection of the opinions of Leibnitz as a work of great importance; but his dearest wish was, that circumstances might enable him to give to the world the still more unequivocal record of his Catholic views, which, although preserved in manuscript in the Hanoverian library, had been, for nearly a century, withheld from publication. Its existence was well known, and its singularly Catholic character, as described by those who had seen it in manuscript, had long excited the curiosity of the theological world. Leibnitz himself, in one of his letters to the Landgrave of Hesse-Rheinfels (to whom it is supposed to have been addressed), mentions his intention of preparing such a volume. M. Jung, the librarian, had transcribed it in a hundred and fifty folio pages, about 1750; and the celebrated antiquarian, Murr, mentions that he had himself read it with the utmost interest.

"I have read," says he, "the *Systema Theologicum* of Leibnitz. It appears to have been written between 1671 and 1680, or soon after. The autograph is preserved in the royal library of Hanover, but without title or preface. M. Jung, aulic councillor and librarian, has transcribed, in one hundred and fifty pages folio, this singular work, which will create a greater sensation than all the other writings

of Leibnitz. He defends therein the Catholic religion, even on those points which have been most warmly discussed between Catholics and Protestants, with so much zeal, that one could scarcely believe him to be the author, were not his writing so perfectly known by thousands of monuments. There reigns throughout the work a noble simplicity, no emphasis, no animosity; and the author everywhere displays a singular sagacity.\*

The zealous abbé was doomed to many disappointments; but at length, in 1809, through the interference, it is said, of the constitutional bishop Grégoire, an order was obtained for the removal of the manuscript to Paris; and on October 16th it was forwarded to Emery by M. Feder, the librarian, with whom he had long maintained a most friendly correspondence. Unhappily, amid the distracting occupations of these afflicting years, detailed in a recent number,† in which he was compelled to perform an ungrateful, though highly honourable, part, it was long before he was able to prepare the manuscript for publication; and, just as he had completed what to him was truly a precious labour of love, he died, full of years and virtues, in 1811, leaving the work to be followed up by his literary executor, M. Garnier, afterwards his successor as superior general of the Sulpician Congregation. The political revolutions which followed, for a time suspended the work; nor was it actually published until the year 1819. The text, accompanied by a French translation from the pen of M. Mollevault, was edited by M. de Genoude. Almost immediately afterwards a German translation was published by MM. Räss and Weis, whose joint labours in the *Bibliothek der Katholischen Kanzel-beredsumkeit*, and many similar works, have since done so much for the cause of religion in Germany. The German translation, accompanied by the Latin text, and a valuable preface from the pen of Dr. Doller, has been several times reprinted. The copy which lies upon our table is of the third edition, within a few years of its first appearance.

In order to appreciate fully the value of Leibnitz's testimony in favour of the Catholic religion, it is necessary to understand the circumstances of the times in which he wrote; and we shall offer no apology for detaining the reader by a brief review of the important ecclesiastical negotiations in which he took a very prominent part. Germany, exhausted by the religious wars of the sixteenth and seventeenth centuries, had

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\* "Journal zur Kunst-geschichte und zur algemeinen Literatur." March 11, 1779.  
† No. XIX. "Artaud's Life of Pius VII."

just begun to feel the blessings of repose, and, in the growing sense of its advantages, to think anxiously of securing its continuance. The peace of Westphalia, while it adjusted their political differences, had done little to extinguish the religious animosities in which the political struggle had mainly originated; and, in more than one of the subsequent diets, the question had been started whether it might not be possible to effect a reunion of the Churches, and thus establish the tranquillity of Europe upon a solid religious basis. Circumstances were considered not unsavourable to the project. The horrors of a religious war were still fresh in the minds of men; and the people were supposed, from very satiety, to have conceived a distaste for theological disputation. The intemperance, too, of the early controversies, when reviewed at a time of more coolness and deliberation, contributed to produce a disposition to calmer counsels. The reaction in favour of Catholicity, which succeeded the first frenzy of the Reformation, had now settled down into a permanent feeling, manifested in the return of many to the Church, from the highest ranks of literature and the most distinguished circles of society—as Pélisson and Isaac Papin—and even from the royal families of Europe, as the Princess Palatine Louise Hollandine, and John Frederick Duke of Brunswick.

The zeal of an humble, but gifted, ecclesiastic improved these advantages with considerable effect. Christopher Royas de Spinola, a Genevese Franciscan, in a series of conferences with the most influential of the Lutheran party, succeeded, by his prudence and moderation, in removing most of the popular prepossessions against the Catholic religion. By his learning and address, he secured so completely the confidence and esteem of all parties, that the Emperor Leopold, who was deeply interested in the success of the measure, procured his nomination to the see of Bosnia, *in partibus*, from which he was afterwards translated to that of Neustadt; and ultimately, in 1691, invested him, by an imperial edict, with “full power and general commission to treat with all states, communities, or even individuals, of the Protestant religion within the empire, concerning the reunion in matters of faith and the extinction or diminution of unnecessary controversies.”\*

The Duchy of Hanover might be regarded, at that period, as the head-quarters of the Lutheran party, whose prin-

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\* See the commission at length in volume xiv. of “Bossuet’s Works,” pp. 1-2.  
Liege: 1767.

cipal strength, at the close of the thirty years' war, lay in the northern provinces of Germany. Circumstances, however, had recently occurred which rendered it peculiarly favourable for the commencement of the Bishop of Neustadt's interesting mission. The Lutheran clergy of Brunswick and of Hanover were known to be more moderate, as a body, than their brethren of the other states of the north. John Frederick, Duke of Brunswick, had openly embraced the Catholic religion; other members of the ducal family had formed alliances with the royal Catholic houses of Europe, and Ernest Augustus, the Duke of Hanover, himself, although political reasons prevented any decided step on his own part, made no secret of his anxiety for the union of the Lutheran with the Catholic Church.

But more favourable, perhaps, than all the rest, was the character of the celebrated Molanus, who at that time possessed great influence in the Hanoverian court, and held the important office of superintendent-general of the consistorial churches of the duchy. Profoundly versed in the theological learning of his order, Molanus had long deplored the disunion of the several Reformed Churches, and the dissensions even of the separate congregations in each, and especially in his own, party. To a strong and polished mind he united a moderate and conciliating temper; and, taught by the almost universal misrepresentation which pervaded the controversies of the day, he had studied the principles of the Catholic religion in the writings of the Catholics themselves. Accordingly, in their very first conference, the Bishop of Neustadt discovered that his labour was in great part forestalled; and that the enlightened candour of the negotiator whom the Duke of Hanover had named to represent the Lutheran party, relieved him from the necessity of combating the vulgar prejudices from which, at that time—as indeed, unhappily, even still—few, even of the learned, were entirely exempt. Satisfied of the idleness of long and elaborate discussions, the delegates confined themselves to mutual explanations of their respective doctrines on those points where the creeds appeared most widely separated. During more than half a year (1691) they conferred together, Molanus being assisted by the most learned divines of Hanover; and, at the end of the conference, Molanus presented, in the name of the Lutheran clergy, a digest of the conditions upon which, in their judgment, the union might be effected. This curious and important document, with all the others relating to the attempted union of the

Churches, will be found in the fourteenth volume of the works of Bossuet.\*

But these propositions of the Lutheran party, though in many respects extremely liberal, were, as a whole, far from being such as could be adopted without injury to Catholic principle. Spinola saw with regret that the way towards union contained more of difficulty than his first zeal had anticipated; and he resolved, before proceeding further in the negotiation, to avail himself of the counsel of the great light of the Church in those troubled times—the illustrious Bossuet.

He had already, for some time, maintained a correspondence with this distinguished man; and the wishes of the electoral family, as well as those of the emperor, coinciding fully with his own, the memorial of the Hanoverian divines was submitted to his judgment. Bossuet, with his characteristic ardour, entered warmly into the project. Although he was naturally disappointed by the imperfect concessions already made, yet he regarded it as a most important first measure; and conceived the most sanguine hopes from the temperate and conciliating spirit in which the conference had been conducted. He expressed, in the warmest terms, his approval of the course pursued by the Bishop of Neustadt; and, at the close of that year, was himself busily engaged in the negotiation, for whose successful results each day appeared to bring more flattering hopes.

It is impossible for us to enter into any considerable details of its further progress. The documents are all preserved in the volume of Bossuet's works already cited; nor do we know, in the whole range of modern or ancient controversial history, a period of greater interest or instruction.

In the September of that year, Bossuet, in a letter to Mme. De Brinon, through whom the memorial of the Hanoverian divines had been submitted to him, stated, clearly and explicitly, the particulars in which these views, as there put forward, were irreconcilable with Catholic principles; and explained, with equal precision, the leading points of discipline in which they might hope for a certain modification, in their favour, of existing usages, not essentially connected with faith. The frankness of his tone, far from alienating, had rather the effect of creating or confirming the confidence of the Lutheran party. Molanus, upon his own part, and

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\* Pp. 4-18. 8vo. Liege : 1767. They occur in the thirteenth volume of the edition in 4to. Antwerp : 1753.

independently of the joint declaration of the body, drew up a private memoir, entitled, *Cogitationes privatæ de Methodo Reunionis*: to be submitted confidentially, though with the consent of the authorities, to the Bishop of Meaux. (*Bossuet*, xiv. pp. 39-76.) This document possesses far more of interest than the common declaration. It displays, throughout, a clear and masterly judgment, an intimate acquaintance, not only with the principles, but also with the literature, of Catholic theology; and though shrinking, in many points, from the full acknowledgment of Catholic truth, yet, in others, it evinces a freedom from prejudice and an appreciation of truth, wherever found, which form a gratifying contrast with the coarse invective and factious intemperance by which most of the controversies of that time are disfigured.

The *Cogitationes Privatæ* were regarded by Bossuet as "a great advance towards the peace of the Church." His reply (*Works*, xiv. 105-189) is addressed to Molanus himself. It is one of his most finished productions, uniting with that spirit of charity and mildness peculiarly his own, the firm and uncompromising adherence to principle by which charity, in order that it be Catholic, must ever be accompanied.

It is at this point of the negotiation that Leibnitz first appears.

He had already distinguished himself by the theological acquirements displayed in his correspondence with Pélisson; and the elector, whose full confidence he enjoyed, did not hesitate to associate him, layman and philosopher as he was, with the divines to whom the negotiation had hitherto been entrusted. But, in truth, the presence of Leibnitz eclipsed all his associates, as did Bossuet's those of the Catholic party. Even the learned Molanus and the zealous Spinola from this moment disappear; and henceforward the two parties are merged in the great names of their illustrious representatives.

But, great as were the theological acquirements of this extraordinary man, it is impossible, in reviewing the records of the correspondence, not to perceive that he entered upon it without full preparation; and that it was principally during its progress his quick and powerful intellect caught up that amazing store of erudition which is displayed in its close, and, still more, in the *Systema Theologicum*, which is evidently long posterior. M. Murr attributes the latter work to some period between 1671 and 1680, long prior to the conference with Bossuet. But abstracting from all other argument, it is more than improbable that the writer, who had already ac-

quired the clear and precise notions of Catholic principles displayed in the *Theological System*, could fall into the palpable misconception of their nature betrayed in the first proposals of Leibnitz in his conference with Bossuet.

The proposals to which we allude were, that project of external union, then recently developed by Jurieu, in which the Lutherans should be free to admit or reject certain articles maintained by the Catholics, and his demand that, in the future negotiation, they should abstract from the decisions of the Council of Trent, which, having been made without the presence or consent of the Lutherans, should be reconsidered in a new assembly of delegates from either party.

These proposals were, of course, at once set aside by Bossuet, as irreconcilable with Catholic principle. He briefly states the only conditions on which a union could obtain the sanction of the Catholic Church; and, as a first step, distinctly declares the utter impracticability of the proposition concerning the Council of Trent. The decrees of that assembly, embodying and declaring the traditional belief of the Church on all disputed questions of faith, having been sanctioned by the holy see, and universally received throughout the Church, now constituted an integral portion of the explicit faith of Catholics, which it was no longer possible to modify, much less to rescind. Upon this point—unfortunately an impracticable one—the after discussion principally turned. Leibnitz, confounding decrees of faith with rules of discipline, contended that the council was not received in France; and, in addition to the arguments put forward in his letters, and especially in one of March 29, 1693, he submitted a memoir which he had drawn up, some years before, against the oecumenicity of the Council of Trent. It is a long and ingenious document, and called forth from Bossuet the brief, but memorable, reply to be found in the fourteenth volume of his works. (pp. 430-42.)

At this stage, the conference, now of some months' standing, rested for a time. Leibnitz urged the example of the Council of Constance, in which, he contended, similar concessions had been made to the Bohemian party. He complained that he had been induced, by the recorded opinions of Catholic divines, to hope for the proposed concession. It is needless, however, to say, that the Catholic representative was here inexorable; and upon his express declaration, that it was incompatible with the first principles of our faith, the negotiation, now hopeless, was, somewhat abruptly, suspended.

The publication of Veron's celebrated *Regula Fidei*, in

1699, gave an occasion to Leibnitz, at the desire of the Duke Anthony Ulric, to reopen the communication so long interrupted. Our limits do not permit any detail of this second correspondence.\* We can do no more than refer to the two clear and masterly letters (of Dec. 11, 1699, and Jan. 30, 1700) in which Bossuet replies to the questions which arose from this remarkable work. From the closing letters of the former conference, it is easy to perceive that, without a total change of opinion, little could be expected from its renewal. Accordingly, although interesting in the highest degree, it was less satisfactory in its results even than the former. Leibnitz returned, as before, to the *rexata quæstio* of the authority of the council; and this, together with the canon of Scripture, as determined in the fourth session, exclusively engaged the attention of the disputants after the opening letters of Bossuet, already referred to. It would be impossible to find a subject better fitted for the display of Leibnitz's great powers; combining, as it does, history and criticism with the ordinary topics of theological argument. His two letters (*Oeuvres de Bossuet*, xiv. 488-529) may be taken as an epitome of the strong arguments against the Catholic canon of Scripture. Bossuet's reply (Aug. 17, 1700) forms the last letter in this memorable series. The correspondence was abandoned, never to be resumed; and the projected union, to which all Europe had looked forward with anxious hope, was given up as unattainable, "till Providence should find its own more auspicious time, and deign to employ the agency of happier instruments." The entire substance of the terms which he had felt himself warranted to propose, was collected by Bossuet in a long and explicit memorial, which, in the following year, he submitted by his own desire, to the pope, Clement XI. It is given in the volume already so often cited (pp. 259-308), and is one of the noblest monuments of the zeal, charity, and learning, of the mighty mind from which it emanated.

Thus terminated this remarkable negotiation, from which so much was hoped, and which brought together in friendly collision all the learning, zeal, and wisdom, of the two great religious parties, by which central Europe had long been held in agitation. If the learning, integrity, and moderation, of the agents could be regarded as a guarantee of its happy termination, never did treaty open under happier auspices. The

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\* An interesting abstract will be found in Bausset's "Vie de Bossuet." Liv. xii. c. 15 and 16.

principals, too, taught by the experience of years of dissension, looked forward to its success as the only permanent ground of that tranquillity for which all Europe had long sighed in vain. And, indeed, the first steps seemed to promise a steady and secure progress. The clearness and precision of the imitable Bossuet, whose versatile mind was at home alike amid the most abstruse questions of mystical theology and the simplest truths of the catechism, appeared to have shut out the possibility of misapprehension. The second memorial submitted by Molanus betokened more of yielding than the first; and the early letters of Leibnitz evince the same spirit, though not in an equal degree. But on a sudden, when all seemed brightest, clouds began to gather, doubts to arise and thicken around; limitations and modifications were appended, frittering away what, at first, had seemed satisfactorily arranged; and the dark, if not stormy, back-ground of this once brilliant picture remains to the world, a fresh evidence, that the light of human learning, however brilliant, is but that of a puny and capricious taper, flickering and fading in every breeze of doctrine; and that the lamp of faith alone emits a steady and saving ray, which no storm can darken or extinguish. Alas! this blessed light is a gift of God alone, dispensed according to his own good pleasure, not to be purchased, either by the learning of philosophers, or the moderation of theologians, or the policy of kings!

The causes of this sudden and inauspicious interruption of the negotiation have been variously stated; nor indeed is it necessary to look far for an explanation of the failure, where success was at the best precarious and problematical. The union of the Greek and Latin Churches, auspiciously commenced at Florence, was of but brief tenure; nor do we want, in ecclesiastical history, abundant evidence to show how little the issue of human things is in the hands of men, and how little the success of human policy, however exalted, is dependent upon human agency. The known and proved moderation of Bossuet sufficiently secures his memory from the imputation of having wantonly thrown obstacles in the way of the negotiation; and if evidence of similar dispositions on the part of Leibnitz were wanting, the *Systema Theologicum*, would furnish abundant refutation of the equally improbable statement of the Abbe Le Dieu,\* that he interferred, only for the purpose of frustrating its already too favourable progress.

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\* Bausset's "Vie de Bossuet," vol. iv. 205.

The true causes of the rupture will be found in the history of the times. At the commencement of the affair, the House of Hanover felt a warm interest in its success, and used all its influence to forward and facilitate the negotiation. The succession to the Protestant crown of England, though opened by the Revolution, was yet held but in dim and distant prospect. But a few years materially changed the position of affairs. The hope of the continuance of the succession in the reigning family was becoming every day more faint, by the premature birth, or early death, of most of the children of Anne; and the second correspondence had scarcely been opened, when the death of the only remaining child, the Duke of Gloucester, extinguished for ever the hopes of the existing line, and made the way clear for the House of Hanover. Unfortunately it was felt that dispositions so favourable to the Catholic religion, would be but an equivocal qualification for a throne already sufficiently Protestant, but rendered still more so by the very decree (of 1701) which secured the Hanoverian succession. Can we wonder, therefore, that the same year which brought about a change so unexpected in the fortunes of this hitherto comparatively powerless family, should also have proved uncongenial to that spirit of conciliation in which, a few years before, the overtures of union had originated? The act of succession was passed March 14, 1701. The only letter of Leibnitz subsequent to this date declares, equivalently, that all further negotiation is hopeless; and the letters of Bossuet, in August, are suffered to remain without reply. Who can avoid reading, in these significant facts, the clear, though far from creditable, solution of the difficulty?

It was after this long and trying preparation, that Leibnitz drew up the *Systema Theologicum*, which we cannot but regard as the most extraordinary production of his wondrous mind. It is because we feel how much additional value this circumstance lends to the opinions therein recorded, that we have deemed it right to premise so much of the history. It now remains that we enable the reader, by such extracts as our limits will permit, to form his judgment of the work itself.

We shall introduce it in the modest and simple preface with which it opens.

“ When, after long and earnestly invoking the divine assistance, and, as far as is possible for man, laying aside all bias of party, just as if, a neophyte attached to no school, I came from a new world,

I had thoroughly examined all controversies in matters of religion, I have at length arrived at the following conclusions, and have thought it my duty, all things being weighed, to adopt them, as being those which *the holy Scriptures and pious antiquity, as well as right reason, and authentic history, recommend to every unbiased man.*"—p. 2.

Upon the opening sections it is unnecessary to dwell. They contain a clear and methodical summary of the leading tenets of natural and revealed religion,—the existence and attributes of God, especially his providence in the care of his creatures; the nature and origin of evil, the sin of our first parents, and its fatal influence on the destinies of the human race. In the same brief, but singularly clear and accurate, manner, he runs through the possibility and necessity of revelation, the chief notes by which it may be distinguished, and the great leading outlines of the mysteries in which the Christian revelation is founded. These, however, are doctrines, which, important as they are in themselves, interest us less directly than the great questions controverted among Christians at the present day, and it is to these Leibnitz principally addresses himself. It will easily be understood that, *although they are all, without exception, strictly Catholic*, we do not hope to transcribe his opinions upon each and all of these important controversies. This would be literally to transcribe the entire volume. Upon all the mysterious questions of grace and free will, justification, its source, its nature, its effects, its amissibility, he is as rigidly Catholic as Bellarmine or Suarez; not only discarding the doctrines of the Lutheran and Calvinistic schools, but adopting the decisions of the Council of Trent, always in their substance, and often in their very phraseology. The necessity of tradition, the infallible authority of the Church, the number and efficacy of the sacraments, the real presence, the transubstantiation of the elements, the sufficiency and expediency of communion in one kind, the permanency of the presence beyond the moment of communion, the sacrifice of the mass, reverence of images and relics, purgatory, and all the practical consequences which Catholic usage draws from it,—are not only stated as opinions, but confirmed by numberless arguments; and it is only by a forcible effort of memory you can persuade yourself that the writer is not a Catholic, strong in the faith, and familiar, from long and industrious use, with all the weapons of scholastic warfare.

It would be impossible, therefore, by any selection of extracts compatible with our limits, to give an idea of the per-

factly Catholic character of the *Systema Theologicum*.\* We must confine the examination to a few points. And perhaps we cannot better illustrate his *perfectly Catholic* spirit, than by contrasting it with that of the Oxford Divines, whose Catholic tendencies have created, and continue to create, such alarm throughout the Anglican Church.

This comparison is the more natural, inasmuch as both parties agree in the great fundamental principles on which their respective systems are grounded. Both insist with equal earnestness on the necessity of tradition, and the authoritative teaching of the Church. Both are of one mind as to the doctrines of the sacraments and of justification; both equally protest against the unscriptural innovations of ultra-protestantism. It is fair therefore, and may afford much instruction, to compare the several conclusions which they deduce from these common premises, and to examine the consistency of their respective schemes of scriptural and traditional belief.

With this view, we shall take a few of the leading questions in which Dr. Pusey and his colleagues, going a part of the way with us, yet shrink from the full acknowledgment of the doctrine as it is professed in our Church, and forms a portion of our religious system. Far from us be every harsh and acrimonious feeling in the inquiry. We have long regarded with the deepest interest the remarkable movement to which they have given the chief impetus, and which seems each day to draw nearer to its crisis. We have watched with solicitude, and we will add with fervent hope, the struggle to unite principles which we believe to be utterly incombinable, to reconcile Catholic premises with Protestant conclusions, to clip down and prune the ancient and venerable cedar to the puny proportions of the stunted shrub of a few years' growth! We believe, with all the strength of our faith, as we hope with all the fervour of the hope which is in us, that the time is not far distant, when, taught, by experience and by extended inquiry, the hopelessness of the effort, those ardent and enthusiastic worshippers of ancient truth, will, in the fitting and pre-ordained season, seek, in a union with that Church, where alone it is to be found, that unchanging and consistent body

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\* We cannot too earnestly press the entire work on the attention of all, especially Protestant, readers. We beg particularly to refer to "Justification," 44, and seq.; "Good Works," 78; "Religious Orders," 88; "Images," 120; "Saints and Relics," 160; "Transubstantiation," 224; "Confession," 268; "The Mass," 284; "Vows," 334; "Purgatory," 348. These references are, for the convenience of the reader, to the French edition (No. 3 upon our list).

of heavenly doctrines, whose fragments, in greater or less proportion, are scattered through the various systems into which Christianity is divided, but lose, in all alike, their beauty and their strength by being shorn of their Catholic consistency.

The few last years, which have seen so large an increase in the numbers of this remarkable body, appear also to have brought with them a considerable modification of its opinions. It is impossible not to be struck by the difference between the earlier writings of the controversy and the Tract (90) recently published, as well as the letters to which it has given occasion. In the former we find our doctrines discussed as drawn from our received decrees and formularies of faith ; the latter, acknowledging the formularies to be “much less objectionable than the system which they represent,”\* objects to a certain “traditional system” which it supposes to exist among us, going beyond, and practically contradicting, their letter.

The following extracts from the *Systema* are intended to meet both views. The passages which we shall quote from Dr. Pusey’s *Letter to the Bishop of Oxford*, and from *Tract* 71, involve, in several points, a different view of certain articles from that taken by Mr. Newman in *Tract* 90, and the defences of it. But in producing testimonies from Leibnitz against the one, we shall also, at least indirectly, combat the other. Leibnitz knew our religion thoroughly—its “traditional system” as well as its received formularies. His work contemplates it not as an ideal abstraction, but as it really exists; and his silence as to these “traditional” views is an evidence that he knew not of their existence, or that he identified them with the formularies which they really represent.

To begin with transubstantiation, which Dr. Pusey regards as the root and source of almost all the “practical corruptions of our system.”

“We would maintain, then, my lord,” writes he in his letter to the bishop of Oxford, “that here also our Church holds the Catholic truth, distinct from the modern novelties, whether of Rome, of Zurich, or of Geneva ; that she holds a real spiritual presence of our LORD in the holy Eucharist ; that He really and truly imparts himself therein, His body, and His blood, to the believer ; and that through this gift, bestowed by Him and received through faith, Christ dwelleth in us, and we in Him : we maintain, on the other side, that Rome has grievously erred by explaining in a carnal way the mode of this presence, and requiring this, her carnal exposition, to be received as an article of faith. She anathematizes us in our Church

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\* “Mr. Newman’s Letter to the Bishop of Oxford,” p. 27.

for holding that 'in the most holy sacrament of the Eucharist there remains the substance of bread and wine,' and 'denying that wonderful and remarkable conversion of the whole substance of bread into the body, and of the whole substance of wine into the blood, so that there remain only the appearances of bread and wine,' 'which,' it proceeds, 'the [Roman] Catholic Church most aptly terms transubstantiation.' We suppose, also, that they meant it in a carnal and erroneous sense, that they say, 'that the body and blood of Christ is not only "really" but "substantially" present in the sacrament of the holy Eucharist;' for 'substantially' they explain to be, not simply equivalent to 'really,' but 'corporeally;' that the body of the Lord is sensibly touched by the hands, broken and bruised by the teeth.\* Further, we think it presumptuous to define, as they do, that "Christ is wholly contained under each species," whereby they would excuse their modern innovation of denying the cup to the laity, and would persuade them, by a self-invented and unauthorised theory of modern days, that they receive no detriment thereby. Again, we hold it rash to define peremptorily 'that the body and blood of Christ remain in the consecrated elements which are not consumed, or are reserved after the communion,' (meaning thereby that they so remain independently of any subsequent participation, as of the sick, or by the communicants), although, doubtless, they are not common bread and wine, but hallowed. Then, also, we reject what Rome maintains under an anathema, 'that, in the holy sacrament of the Eucharist, Christ, the only-begotten Son of God, is to be adored with the outward adoration of divine worship, and to be set forth publicly to the people in order to be adored;' nay, 'that this most holy sacrament

\* Dr. Pusey cites Bellarmine for this apparently revolting exposition of our doctrine. But he omits the explanation which removes all its inconvenience, and which Bellarmine does not fail to subjoin, namely, that it is only mediately, that is through the medium of the sacramental species (*mediantibus speciebus*).

The doctrine thus imputed, far from being that of the Catholic Church, would be, in the sense imputed at least, constructive heresy. But, as both here and in the late Tract (No. 90), (which makes it the sole ground of objection to our doctrine) great stress is laid upon this phraseology, we subjoin a few extracts from St. Chrysostom, which, if there be anything revolting in them, must share the blame with the objected passages.

"To those who desire it He hath given Himself, not only to see, but *to touch, and to eat, and to fix their teeth in His flesh.*" (*καὶ ἐμπηξαὶ τὰς δόντας τῷ σαρκὶ.*)—Hom. 46, in Johan. vi. 3. tom. viii. 272. Ben. ed. Paris: 1728.

"Of what sun-like brilliancy should the hand be *which cutteth that flesh in sunder!*" (*τάντην διατεμνεσσαν τὴν σαρκά.*)—Hom. 82, in Matt. s. 5. vii. 788.

"He giveth Himself to thee, not to see only, but *to touch, to eat, to receive within.*"—Ibid. p. 787.

"But why do we add, 'which we break?' For thou mayst see that this is done in the Eucharist. But on the cross not so, but the contrary; for he saith, 'a bone should not be broken.' But what He bore not on the cross, that He suffereth for thee in the oblation and submitteth to be broken in sunder" (*ἀνεχεται διακλωμένος.*)—Hom. 24, in 1 Cor. s. 2, x. 213.

It is on this model the retraction of Berengarius (Tracts, 90, p. 50) was drawn up. But it is to be understood with this limitation (*mediantibus speciebus*),

rightly received the same divine worship as is due to the true God; and that it was not therefore the less to be adored, because instituted by Christ, the Lord, to be received. For that the same eternal God was present in it,—whom, when the eternal Father brought into the world, he said, ‘And let all the angels of God worship him.’ Lastly, as connected with, and dependent upon, transubstantiation, we cannot but hold, that the sacrifice of masses, in the which it was commonly said that the priest did offer Christ for the quick and the dead, to have remission of pain and guilt, were blasphemous fables, and dangerous deceits,’ and interfere ‘with the offering of Christ once made,’ upon the cross.”—*Dr. Pusey's Letter to the Bishop of Oxford*, second edition, pp. 133-5.

The points of difference from the doctrine of our Church stated in this very striking passage are five. 1. Transubstantiation, which, in another place, is rejected as a “theory of man’s devising, profane and impious.” (*Tracts*, No. 38, p. 11.) 2. The presence of the body and blood of our Lord under each species, and the sufficiency of one for the communion of the faithful. 3. The permanence of the presence in the consecrated elements, “which are not consumed, or are reserved after communion.” 4. The outward adoration of the Eucharist. 5. The sacrifice of the mass; which, while they freely admit it to be “*commemorative*,” they do not acknowledge “to be a real and proper sacrifice.” (*Tracts*, No. 75, p. 1.)

Upon each of these points, severally, we shall extract the opinion of Leibnitz.

To the following clear and explicit declaration we shall merely premise, that, in the previous pages, he has laid down the doctrine of the real presence, and disproved the philosophical arguments from reason, by which it is sought to establish its repugnance and impossibility.

“I. TRANSUBSTANTIATION.—If it could be established by irrefragable arguments of metaphysical necessity, that the whole essence of a body consists in extension, or in the occupation of a determinate space, then, unquestionably, since truth cannot be opposed to truth, it should be confessed, that one body could not, even by divine power, exist in many places at once, no more than the diagonal can be commensurable with the side of a square; and, in this case, we should have recourse to an allegorical interpretation of the word of God, whether written or delivered by tradition. But so far from any philosophers having perfected this vaunted demonstration, on the contrary, it appears to be susceptible of solid proof, that the nature of a body indeed, unless an obstacle be placed by God, requires that it should have extension; but that its essence consists in matter and substantial form, that is, in the principle of passion and of action.

“There are some who, admitting a real presence, defend a cer-

tain, so to speak, *impanation*. For they say, that the body of Christ is presented in, with, and under, the bread ; and therefore, when Christ said, ‘ This is my body,’ they understand as if a person, showing a bag, should say, ‘ This is money.’ But pious antiquity has declared with sufficient clearness, that the bread is changed into the body, and the wine into the blood ; and in this the ancients universally acknowledge a change of substance ( $\mu\epsilon\tau\alpha\sigma\tau\omega\chi\epsilon\iota\omega\sigma\iota\kappa$ ), which the Latins aptly translated *transubstantiation* : and it is defined that the whole substance of the bread and wine passes into the whole substance of the body and the blood of Christ,’ and therefore, as elsewhere, so also here, the Scripture must be explained from the tradition which the Church, its keeper, has transmitted to us. Oftentimes, however, the name of bread and wine is given to the species which remain, since they are not distinguished by sense. Thus St. Ambrose said that ‘ the Word of the Lord is so efficacious, that they at once are what they were, and are converted into another thing,’ that is, *the accidents* are what they were, *the substance* is changed ; for the same Ambrose says, that ‘ after consecration they are to be believed to be nothing else than the flesh and blood of Christ ;’ and Pope Gelasius insinuates that the bread is changed into the body of Christ, the *nature* of bread remaining, that is, *its qualities or accidents* ; for, at that time, forms of expression were not adopted in strict accordance within rigid metaphysical notions ; which sense also, Theodoret said, that in this conversion, *which he himself calls*  $\mu\epsilon\tau\alpha\beta\omega\lambda\eta$ , the mystic symbols are not divested of their own proper *nature*.”—pp. 222-6.

Upon this clear testimony, which not only states, but vindicates, the Catholic tenet of transubstantiation in its most extended sense, it were idle to offer a word of commentary. We regret that we cannot subjoin his admirable solution of the philosophical repugnances attributed to this mysterious article of our belief,—a solution the more invaluable, that, upon such a point, his decision is all but beyond appeal. It is well observed by Dr. Wiseman, in his admirable lecture on the difficulties of transubstantiation, that there is no question in the entire range of controversial theology, the true position of which has been so completely misunderstood and misrepresented ; and we rejoice to observe, in the recently published tract, a disposition to place it upon its legitimate foundation. The philosophical repugnances so loudly vaunted are, without a single exception, both in themselves and in their spirit, the creation of a narrow or blinded intellect. For the true philosopher, like Leibnitz, they are divested of all their imposing difficulty, and he “ who in the beginning felt himself inclined to adopt them, at length, by the progress of meditation, is forced to return to the doctrines of the ancient philosophy.” (p. 234.)

We pass to the second point, which is the great stronghold of the “Anglo-Catholic” school, the presence of our Lord, whole and entire, under each species, and the denial of the cup to the laity. We shall see this specified hereafter as one of the “practical grievances” to which Christians are subjected in the communion of our “misguided” Church; and Mr. Pusey (p. 135) is of opinion that it should “alone, without further disputing, restrain any one from joining himself to our communion.”

II. SUFFICIENCY OF COMMUNION IN ONE KIND.—“And indeed it cannot be denied, that, by the power of concomitance, as the divines express it, Christ is received entire under either species, since his body cannot be separated from his blood. The only question is, whether it be lawful to recede from the form which appears to be prescribed in Scripture. And I confess, that, if private persons had done it, they could not be absolved from a grievous charge of temerity; but now, the usage of the Church for so many centuries proves, that, from the earliest times, it was believed that, for approved reasons, the use of the chalice might be dispensed with: and some Protestants admit that, if any one have a natural repugnance to wine, he may be content with the communion of the bread alone. Now what cause can be conceived at the present day more weighty than the avoiding schism, and preserving the unity of the Church and public charity? Therefore, *I hold for certain that the denial of the cup can afford no man a just cause of withdrawing from the Church.*

“But what the pastors of the Church have done they have done with a good intention and for a solid reason. For it is certain, that, (liquids being divisible into the most minute parts, and exposed to various dangers of effusion and adhesion), a portion of the wine may be more easily destroyed. And for this same reason the bread also has been changed, and, instead of brittle bread, portions of which may easily be detached from the mass, a different kind has been substituted.”—pp. 250-2.

“There is no doubt that Christ instituted the consecration of the bread and wine alike, and gave his body and his blood to the apostles under both forms. Paul delivered the same usage to the Corinthians; and the primitive Church, as the Oriental Church at the present day, observed it; until by degrees, originally out of reverence, not to mention other causes, it was judged right in the West, that the bread alone should be administered to the faithful communicating, and the wine should be received only by the priest consecrating.

“But this was not done without authority insinuated in the Scripture, or precedent in the ancient Church. For many of the fathers interpret of the Eucharist the supper of Emmaus, in which the breaking of the bread alone is mentioned; and bishops communi-

cating together were wont, in order to testify fraternal charity, to send from Rome even to Asia the Eucharistic bread, as a pledge of unity in faith and communion. Besides, this sacred aliment was given into the hands of the communicants, to be carried away into the deserts, or upon their journeys. And when some, I suppose with the view of preserving both species, received the element of bread moistened in the wine, Pope Julius condemned the custom about the middle of the fourth century. That in the fifth century, the omission of communion of the cup was free, and adopted by many, is evident from the fact that the Manichees, mingled and concealed among the others, always acted so; and, in order to their discovery, the Roman pontiff Leo ordained that both species should be received by all; and, a short time afterwards, Gelasius repelled from communion those persons (a remnant, I suppose, of the Manichees) who, receiving only the sacred body, abstained, through some superstition, from the chalice of the hallowed blood."—  
pp. 244-6.

He continues in the same calm and temperate tone to trace the history of the present disciplinary usage through the succeeding centuries. But as the great principle, that it has always been regarded in the Church solely as a question of discipline, and that its adjustment was uniformly regulated by the expediency which the reverence for the sacrament suggested, has already in the preceding extract been fully conveyed in the most express terms, we pass on to the third point, namely, the permanence of the presence of our Lord in the Eucharist beyond the moment of communion; and in those portions of the precious elements which are reserved after consecration. This is a difficulty of long standing, and, little as the divines of Oxford may relish the connexion, may be traced back to the teaching of Luther himself. It is one, however, to which the practice of the Church from the earliest times affords an obvious and evident solution, and is well designated by Leibnitz, in another place, as "a new and incongruous invention." (p. 264.) He formally considers it in the following passage.

**III. PERMANENCE OF THE PRESENCE OF OUR LORD IN THE EUCHARIST.**—"It is certain, moreover, that antiquity has taught us, that the change of elements takes place in the very moment of consecration, as appears from the words of St. Ambrose already cited; nor was the new opinion of some, that it is only in the moment of communion the body of Christ becomes present, ever heard of by the ancients. For it is certain that some did not immediately consume the sacred food, but sent it to others, or carried it with them to their homes, nay, upon their journeys, and into the deserts; and

that, at one period, this usage, though afterwards abolished for greater reverence sake, was commended in the Church. And, indeed, either the words of institution,—which far be it from us to say,—which the priest pronounces, are false, or it is necessarily true, that what is blessed by him becomes the body of Christ before it is consumed. I shall not advert to the difficulties which embarrass the defenders of this opinion, as to whether the change of elements commences upon the lips, or in the mouth, or in the throat, or in the stomach, and whether it take place even there, if, through any defect of the organ, the elements be not consumed." — pp. 228-30.

The practice of adoring the blessed Eucharist follows by a consequence so natural and so necessary from the doctrine of the real presence, that we know not how to explain its rejection by those who are disposed to look with a favourable eye upon the qualified reverence paid to relics and to sacred images. Unhappily, the last clause of the 28th article furnishes too significant an explanation.

It can hardly be necessary to say what is the opinion of Leibnitz, who discusses the question at considerable length.

**IV. ADORATION OF THE BLESSED EUCHARIST.**—"The adoration of the most holy sacrament of the Eucharist, although not always equally in use, nevertheless has been received through a laudable piety. The first Christians observed the utmost simplicity in all that appertains to the display of external worship, which certainly cannot be condemned, for internally they burned with true fervour of soul. But when men began, by degrees, to grow cold, it became necessary to use external signs, and to institute solemn rites, which might admonish them of their duty, and revive the ardour of devotion, especially where any great cause or occasion existed; and certainly for Christians, it will not be easy to find an occasion more important than that which is presented in this divine sacrament, in which God himself offers to us the body which he has assumed (pp. 256-8). Here, therefore, if anywhere, it was most fitting that adoration should be prescribed; and thus it has been rightly introduced, that the greatest solemnity of the *external* worship of Christians should be lavished upon the sacrament of the Eucharist, which has been instituted by the Saviour to be the chief object of their *internal* worship; that is, to inflame the ardour of divine love, and to testify and cherish internal charity. It is certain, however, that the ancients also adored the Eucharist; and, indeed, Saints Ambrose and Augustine understand of the adoration of the body of Christ in the Mysteries, that passage of the psalm,— 'Adore ye the footstool of his feet!'

"In fine, since the necessity has ceased for that regard to the prejudices of Pagans, which led Christians either to conceal the

mysteries, or to abstain from certain external signs which might offend the weak or prevent the appearance of paganism, it has seemed right (especially in the West, where there was no necessity for regarding the prejudices of the Saracens), gradually to prescribe in the honour paid to this venerable sacrament all that is most exquisite in external worship. Hence, not only has it been prescribed to bow down at the elevation of the sacrament after consecration, but it is also ordained that it be borne with the utmost reverence either to the sick or for any other purpose; that it be exposed, from time to time, for a public cause, and that every year this divine pledge should be worshipped upon earth by a special festival, and with the utmost exultation of the, as it were, triumphant Church. The wisdom and congruity of these institutions is so manifest, that even the Lutherans adore the Eucharist in the act of receiving, though they go no further, from the belief that the body of Christ is not present sacramentally, except in the moment of eating. But it has been already shown, that this is a modern and incongruous invention.

"When men, therefore, reprobate this ordinance of the Church, they reprobate either abuses which are reprobated equally by the Church herself, or they impugn certain imaginations of their own. For they imagine that Catholics adore earthly symbols, and, even while they confess that the substance of the bread is expressly excluded, they fear lest the species themselves should be adored; and they say, further, that the fact of transubstantiation is uncertain, either because the dogma itself in their opinion is ill-established, or because a wicked or invalidly ordained priest has it in his power either to withhold the intention of consecrating, or not to consecrate at all. But they should know that the adoration is not directed to the species at all; . . . and although it should happen that the consecration was not performed, idolatry would not therefore be committed. For nothing else, nor in any other sense, is adored, but Christ the Lord, whether his body be present or not."—pp. 260-4.

Upon the last point,—the nature of the Eucharistic sacrifice,—the opinion of the Oxford school as stated in the above extract from Dr. Pusey's letter, and in other publications, is no less at variance with the plain and consistent doctrine of the *Systema Theologicum*.\* We can but select a few passages

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\* We have read, with great satisfaction, in the late Tract (No. 90) the following very remarkable exposition of the Thirty-first Article of the Church of England:

"On the whole, then, it is conceived that the article before us neither speaks against the mass in itself, nor against its being an offering [though commemorative] for the quick and dead for the remission of sin; [especially since the decree of Trent says, that 'the fruits of the bloody oblation are through this, most abundantly obtained; so far is the latter from detracting in any way from the former], but against its being viewed, on the one hand, as independent of, or distinct from, the sacrifice of the cross, which is blasphemy; and, on the other,

from the very full and admirable section which Leibnitz devotes to it; the reader will perceive how his clear and powerful mind unmasks the sophistic argument, by which it is sought to prove that the Catholic doctrine of the Eucharistic oblation is injurious to the one oblation of Christ on the cross.

V. SACRIFICE OF THE MASS.—“ It remains that we explain the sacrifice of the mass, which the Church has always taught to be contained in the sacrament of the Eucharist. In every sacrifice, there is the person who offers, the thing which is offered, and the cause of offering. Now in this sacrament of the altar, the offerer is the priest; and indeed the sovereign priest is Christ himself, who not only offered himself on the cross when he was suffering for us, but also exercises his priestly office for ever to the consummation of ages, and now also offers himself for us to God the Father through the ministry of the priest or presbyter. It is therefore he is called in Scripture, ‘a priest for ever according to the order of Melchisedec;’ in which offering of bread (as nothing can be more manifest) the Eucharistic sacrifice is allegorically prefigured in the Scripture itself. The thing offered, or the victim or host, is Christ himself, whose body and blood are subject to immolation and libation, under the appearance of the elements. Nor do I see what is wanting here to the nature of a true sacrifice. For why may not that be offered to God, which is present under the symbols, since the sensible species of bread and wine are meet matter to be offered, and in them did the oblation of Melchisedec consist; and since that which is contained in the Eucharist is the most precious of all things, and the most worthy to be offered to God? Thus, by this most beautiful provision, has the Divine mercy enabled our poverty to present an offering which God may not disdain; whereas He himself is infinite, and nothing would otherwise proceed from us bearing any proportion to His infinite perfection, no libation could be found capable of propitiating God, but one which itself should be of infinite perfection. For, by a mysterious disposition, it occurs, that, as often as the consecration takes place, Christ, always giving himself to us anew, may always again be offered to God, and thus represents and seals the perpetual efficacy of His first oblation on the Cross. For no new efficacy is superadded to the efficacy of the Passion, from this propitiatory sacrifice, repeated for the remission of sins; but its entire efficacy consists in the representation and application of that first bloody sacrifice, the fruit of which is the divine grace bestowed on all those,

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its being directed to the emolument of those to whom it pertains to celebrate it, which is imposture in addition.”—Second ed. p. 63.

Strike out (as it will be seen above that Leibnitz has done) the qualification, [though commemorative] and the above paragraph might be deemed extracted from the “ Catechism of the Council of Trent,” so perfectly Catholic is it in its tenor.

who, being present at this tremendous sacrifice, worthily celebrate the oblation in unison with the priest. And since, in addition to the remission of eternal punishment and the gift of the merit of Christ for the hope of eternal life, we may further ask of God, for ourselves and others, both living and dead, many other salutary gifts (and among those, the chief is the mitigation of that paternal chastisement which is due to every sin, even though the penitent be restored to favour); it is therefore clearly manifest, that there is nothing in our entire worship more precious than the sacrifice of this divine sacrament, in which the body of our Lord itself is present."—pp. 282-6.

Leibnitz proceeds to detail at considerable length the arguments by which the perpetual faith of the Eucharistic sacrifice is established. Upon these arguments, though in themselves very interesting, we do not think it necessary to dwell. But we must transcribe the passage in which, with the same calm impartiality, weighing the for and the against, the good and the bad, he records his judgment on the subject of "private masses, when the priest alone communicates,"—a practice more obnoxious at Oxford than any of the others connected with the sacrifice.

**VI. PRIVATE MASSES.**—"Now, since the dignity and utility of the perpetual sacrifice are so great, it was, in fine, established, that it should very frequently be offered for the necessities of the faithful, even though not always accompanied by communion. It is true that, primitively, all those who were present at the sacrifice, were wont to partake of the communion; but, by degrees, it was reduced to a small number, since, the fervour of primitive piety having abated, it became justly to be feared, that too frequent communion and promiscuous distribution might diminish reverence, and be to many an occasion of sin; for if, at the present day, all the faithful were to approach the table of the Lord after the celebration of the mysteries, who can doubt that very many would eat unworthily? But, now-a-days, by the intervals of communion, time of preparation is given to those who come to the supper, that they be not found without the nuptial garment. It would have been wrong, notwithstanding, that, because communicants were not always found, anything should have been taken from the Divine honour. Wherefore, since with most laudable piety, it has been ordained, that the most holy sacrifice be celebrated daily in all churches, it has been judged sufficient, in consequence, that the offering priest alone should communicate. And this is the origin of what are called '*Private Masses*', of whose immense fruit it is not just that the Church, to the detriment of the Divine honour, should be deprived; neither are admirable institutions to be abolished now, with great scandal to the faithful, because the Church was long without them; nor are we to return, all at once, to primitive simplicity, unless, perchance, those who trust, without

rashness, that they possess the fervour of the early Christians,—of whom, would that there were many among us!"—pp. 290-4.

Such are the opinions of this extraordinary man upon this great question, with the all-important consequences which it involves. How widely different from the doctrines,—themselves differing widely from the tenets of ultra-Protestantism—which we have transcribed from the authorised summary of the creed of the new "Anglo-Catholic" school! Whence this wide and deplorable discrepancy? Both are parties of undoubted learning, and of deservedly high name; both profess equal reverence for Catholic antiquity; both draw with equal eagerness from its consecrated fountains. Alas! we shall see the reason, or rather it meets us in every page. Leibnitz had no preconceived system, to whose stubborn and unpliant articles he was forced to bend and twist and torture the simple and obvious teaching which he read in the records of the primitive Church!

Meanwhile, let us carry this interesting comparison through a few further points. We shall take them at the choosing of the Tracts themselves, selecting those which they put forward as practical abuses of the system of Rome, irreconcilable with the leading principles of the gospel, and the undoubted uses of the early times. They are contained in brief space.

"The following are selected, by way of specimen, of those practical grievances to which Christians are subjected in the Roman communion.—1. The denial of the cup to the laity. 2. The necessity of the priest's intention to the validity of the sacraments. 3. The necessity of confession. 4. The unwarranted anathemas of the Roman Church. 5. Purgatory. 6. Invocation of Saints. 7. Images."—*Tracts*, No. 71, pp. 9, 10.

To the three last-named grievances, perhaps we could not append a better commentary than the new Tract (No. 90) upon these several points. But let us hear Leibnitz upon each of them. The first having been already discussed, we proceed at once to the second,—the necessity of the priest's intention. While, however, we cite the opinion of Leibnitz upon this point, it is scarcely necessary to observe, that those who have even cursorily examined the discussions among our divines upon it, will at once perceive, that the idea of the practical grievance objected therefrom only originates in a misapprehension of the opinion itself.

**II. INTENTION OF THE PRIEST.**—"In the minister is required 'the intention of doing what the Church does; for, if it be certain

that he acts only in jest or in mockery, it would appear that, in this case, he does not validly baptize, or absolve from sins. Therefore, although the person baptizing or absolving should be an atheist, who believed that baptism produced no effect, he may, notwithstanding, wish to baptize in a serious manner, which is sufficient. However, should it perchance occur, that a wicked priest should withhold the necessary intention, although the sacrament would be wanting, yet St. Thomas well observes, that the chief priest would supply its fruit; and St. Augustine favours that opinion in his book on Baptism. The impiety of the minister does not prevent the validity of the sacrament, provided the other essential conditions be not wanting."—pp. 208-10.

The third practice, confession, if it were, indeed, a burden imposed by the Church without authority from God, might well be deemed a "practical grievance;" and the very repugnance which men feel to this (humanly considered) ungrateful duty, and the manifest impossibility of their submitting, without having objected at some assignable period, to its unauthorised imposition, are used by our controversialists, with irresistible effect, to establish its divine institution. The well regulated mind of Leibnitz, while it saw and appreciated this natural repugnance, saw also the wise and merciful design, to which, in the providence of God for his Church, it was intended to subserve.

**III. CONFESSION.**—"The remission of sins, which takes place in the sacrament of baptism, and that in confession, are both equally gratuitous; both are equally founded on the faith of Christ; both equally require penitence in adults;—but there is this difference, that, in the former, nothing is especially prescribed by God beyond the rite of ablution; but, in the latter, it is commanded, that he who would be made clean, shall show himself to the priest, and confess his sins; and that, afterwards, he shall, at the sentence of the priest, subject himself to some punishment, which may serve as an admonition for the future. And, whereas God appointed His priests to be the physicians of souls, He willed that the malady of the patient should be made known to them, and his conscience bared before their eyes: whence the penitent Theodosius is related to have said wisely to Ambrose, 'Tis thine to prescribe and compound the medicines: 'tis mine to receive them.' Now the medicines are the laws which the priest imposes on the penitent, as well that he may feel the evil which is past, as that he may avoid it for the time to come; and they are called by the name, 'satisfaction,' because this obedience of the penitent, in voluntarily chastising himself, is agreeable to God, and mitigates, or removes, the temporal punishments which should otherwise be expected at the hands of God.

"This whole institution, it cannot be denied, is worthy of the

Divine wisdom; and if, in the Christian religion, there be any ordinance singularly excellent, and worthy of admiration, it is this, which even the Chinese and Japanese admired; for the necessity of confessing, at once deters many, especially those who are not yet obdurate, from sinning, and administers great comfort to the fallen; insomuch that I believe a pious, grave, and prudent confessor, to be a powerful instrument in the hands of God, for the salvation of souls; for his counsel is of great avail in assisting us to govern our passions; to discover our vices; to avoid occasions of sin; to make restitution and reparation for injury; to dissipate doubts; to raise up the broken spirit; and, in one word, to remove, or mitigate, all the evils of the soul. And if, in human things, there is scarce anything better than a faithful friend, what must it be, when that friend is bound, by the inviolable religious obligation of a Divine sacrament, to hold faith with us, and assist us in difficulties? And although of old, when the fervour of piety was more warm, public confession and penance were in use among Christians, nevertheless, in order to consult for our weakness, it hath pleased God to declare by the Church, that private confession to a priest is sufficient for the faithful; an obligation of silence being further attached, in order that the confession may be more thoroughly freed from the influence of human respect."—pp. 268-72.

The very fertility of the *Systema Theologicum* in testimonies to our doctrines to a certain extent embarrasses us by the variety and multiplicity of matter which claims our notice. Upon the fourth "practical grievance"—the "unwarranted anathemas of Rome"—we find abundant commentary in every single section of the work; since in all, by adopting the doctrine of our Church without reserve, he equivalently approves the wise policy by which she requires, under anathema, their profession by all her members. The following direct declaration, however, is, perhaps, more unequivocal.

IV. POWER OF DEFINING UNDER ANATHEMA.—"Furthermore the bishop, and before all other bishops, he who is called 'OEcumenical,' and represents the entire Church, has the power of excommunicating and depriving of the grace of the sacraments; of binding and retaining sins, as well as again loosing, and restoring to communion; for in the 'power of the keys' is contained, not voluntary jurisdiction alone, such as is that of the priest in the confessional, but the Church has power to proceed against the refractory also; and he 'who doth not hear the Church,' and who, as far as he can, doth not, for the salvation of his soul, keep her commands, should be accounted as the heathen and the publican; and (the judgment of heaven being superadded to the earthly sentence), as a regular consequence, experiences, at the peril of his soul, the rigour of ecclesiastical authority, to which God himself communicates that which in all jurisdiction is the last and supreme complement,—execution."—pp. 296-8.

Of the Oxford doctrine of purgatory we have already spoken.\* We have demonstrated the folly of attempting to explain those passages of the fathers which refer to the practice of prayers for the dead, in any other than the Catholic sense. On this point, also, the tract (No. 90) indicates a very remarkable approximation to the true doctrine of our Holy Church. The strong and natural language of Leibnitz is at once a clear statement, and a solid proof, of the Catholic belief.

V. PURGATORY.—“But, dismissing these disputes, let us come to the much-agitated question of purgatory, or temporal punishment after this life. Protestants are of opinion that the souls of the departed are at once either established in eternal happiness, or condemned to eternal misery. Hence, they reject prayers for the dead as superfluous, or reduce them to empty wishes, such as are conceived with regard to things past and completed, rather from custom than from any hope of utility. *On the contrary, it is a most ancient belief of the Church, that we are to pray for the dead, and that the dead are assisted by our prayers; and that those who have departed this life, although through Christ, being received by God into mercy, and the eternal punishment remitted, still, notwithstanding, continue to undergo a certain paternal chastisement, and purgation for their sins, especially if they have not sufficiently washed away their stains during life.* To this some have applied the words of Christ with regard to ‘paying the last farthing,’ and that ‘all flesh shall be cleansed by fire;’ others, the passage of Paul concerning those ‘who have built upon this foundation wood, hay and stubble,’ and ‘shall be saved, so as by fire;’ and others, again, the passage on ‘Baptism for the dead.’

“The Holy Fathers, indeed, differ as to the mode of purgation. For some were of opinion that the souls are detained for a limited period (which some of them extended even to the day of judgment, and a few even further), in a certain place, and there subjected to purgation. Some, again, placed the mode of punishment in corporal fire; others (to which opinion St. Augustine for a time inclined, as some Greeks do at the present day), in the fire of tribulation. Some, on the other hand, thought that the purgatorial fire was the same as that of hell; others, that it was distinct from it. There were some, too, who placed the purgatory specially at the time of the resurrection, when all, even the saints, shall be obliged to pass through fire, but those only shall be burned, or shall suffer loss, whose work shall be so ill-executed as that it may be burnt. But, however these differences of opinion may be, almost all agree in admitting this paternal chastisement or purgation after life, whatever be its specific nature, to be such, that the souls themselves, being illuminated after their release

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\* “Dublin Review,” vol. vii. 450-2. See also “Library of the Fathers,” vol. i. 179-80, and vol. ii. 275-6.

from the body, and seeing then, for the first time, thoroughly, the imperfection of their past life, and the foulness of sin, touched with compunction thereat, will desire it of themselves, nor wish to arrive otherwise at supreme felicity. For many writers have well observed, that this affliction of the soul reviewing its actions, is a voluntary purgatory; among whom Louis of Grenada is remarkable, whose celebrated sentiment gave great consolation to Philip II, in his last illness."—pp. 348-52.

We are at a loss to understand fully the early principles of Dr. Pusey and his friends, upon the practice of invoking the saints. The formal protest in the passage cited from No. 71, is not easily reconciled with the long and elaborate, but extremely unsatisfactory, dissertation in Dr. P.'s "*Letter to the Bishop of Oxford;*" still less with Mr. Newman's declaration, "that the *Ora pro nobis* is not necessarily included in the invocation of Saints which the article condemns"\*\*—but merely "the maintenance of addresses to them which entrench upon the incommunicable honour due to God alone." (No. 90, p. 42.) "Such," he adds, "are, and have been in the Church of Rome." Let us hear Leibnitz, whether it be so. We pass over his arguments from Scripture and reason (pp. 160-70), confining ourselves to his remarks upon the primitive usage, as more to the point in the present discussion.

**VI. INVOCATION OF SAINTS.**—"But from reasonings let us come to examples and to authority. It is certain, that as early as the second century of the Christian Church, the natal days of the martyrs were already celebrated, that religious assemblies were appointed to be held at their tombs, and that the prayers of the saints were believed to be useful. For Origen, a writer of the third century (*Nu<sup>m</sup>. c. xxxi*), asks, 'Who doubts that the saints assist us by their prayers, and confirm and encourage us by the examples of their lives?' He speaks, then, as of a matter well established, and universally received, in his time. St. Cyprian commended himself to the living, 'that after their death they should be mindful of him.' (L. i. Ep. i.) But if, as some imagine, we cannot find, as of the reverence of images, so also of the invocation of saints, examples during their times, it must be answered, that, until the abolition of idolatry by Constantine, the Church scrupulously avoided all things, however harmless in themselves, which could by any means be distorted into a confirmation of the Gentile superstitions. But, it is certain, from SS. Basil and Gregory Nazianzene, that, at least in the fourth century, the usage of calling on the martyrs by name, was fully established, as well as the belief in their power of assisting us. St. Gregory of Nyssa says, that 'we pray to a martyr that he may act as ambassador for us with God.' St. Ambrose, in his book *De fiduciis*, having remarked that Peter

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\* Mr. Newman's "*Letter to the Bishop of Oxford;*"—p. 18.

and Andrew prayed our Lord for the mother-in-law of Simon, who laboured under fever, says, ‘that those who are conscious of grievous sins wisely employ other sinners to intercede with the physician;’ and that ‘it is right to invoke the aid of angels and of martyrs.’ Now, if it be idolatry, or at least a censurable worship, to address angels and saints in order that they may intercede for us with God, I do not see how SS. Basil and Nazianzene and Ambrose, and the others who have hitherto been regarded as saints, can be excused from idolatry, or, at least, from the foulest abomination.”—pp. 170-4.

Nor is he content with this statement and confirmatory explanation of his views. He, too, was aware of the possibility of that danger, “of tending to give, often actually giving, to creatures the honour and reliance due to the Creator alone,” which the Tract (No. 38, 1) makes the ground of its objection to this holy and venerable practice. But while he looks this, its imputed danger, in the face, he contends for its manifold advantages; and confesses that the Church has always, by wise and salutary restraints, striven to obviate and remove it. He concludes this long and important section (161-198) with the following passage:—

“If the veneration and invocation of the saints be restrained within these limits, it is not only tolerable, but deserving of praise, though it be not necessary; certainly it can neither be ‘idolatrous’ nor ‘damnable,’ unless we be willing, with great peril of the faith, to affirm that the Church—the promises of Christ having fallen to nought—fell away from her very cradle into horrible apostacy; but if we confess that she has subsisted untouched, despite the powers of hell, until the present day, we should not tear ourselves from her bosom because she is unable, at one stroke, to sever from her abuses which she herself reprobates: nor can we doubt that she will more easily provide remedies against them, when unity shall be restored, and when, peace being established, and the variety of objects no longer distracting her attention, her entire solicitude shall be turned upon the cure of her own domestic evils.”—pp. 196-8.

There remains but one other “practical grievance” to be considered—the use of images in our communion. The subject is so familiar to all that we may permit the author to speak for himself, without a word of observation.

VII. IMAGES.—“On the other hand, there appear to be a manifest utility and reason for the use of images in religion. For why do we read or listen to histories, but in order that the images they convey may be impressed upon our memory? But since the images thus expressed are extremely fleeting, nor always sufficiently distinct and clear, we should regard, as a great gift of God, the arts of painting and sculpture, by which we obtain lasting images, expressing objects with the utmost accuracy, vivacity, and beauty; by the sight

of which (since it is not always in our power to consult the originals), the internal images are renewed, and, as a seal on wax, more deeply impressed upon the mind. Now, since the use of images is so advantageous, where, I ask, shall they more fitly be employed, than where it is of the greatest moment that the impressions on our memory should be of the most lasting and vivid character—that is, in the duties of piety and of the love of God? especially since we have already proved, that the most especial use of all the arts and sciences (and consequently of painting), should be devoted to the worship of God."—pp. 122-4.

He cites the decree of the council of Trent with praise, and proceeds—

"Having established, then, that no other reverence of images is admitted than simply the veneration of the original in presence of the image, there can be no more of idolatry therein, than in the veneration which we show to God and Christ when His most sacred name is pronounced; for names, also, are signs, and, indeed, of a class far inferior to images, since they represent the thing much less vividly. Therefore, when it is said that an image is honoured, nothing more is meant than when it is said, that 'in the name of Jesus the knee is bent,' that 'the name of God is blessed,' or that 'glory is given to His name;' *and to adore before the external image is no more censurable than to adore before the internal image, which is painted upon our imagination; for there is no other use of the external, than to render the internal image more vivid.*"—pp. 144.

He concludes—

"All things considered, therefore, since I see that there is nothing in the veneration of images as approved by the Tridentine fathers, which is opposed to the divine honour, since there does not appear in those times any danger of that idolatry which transfers to others the honour due to God (whereas all men sufficiently know that the omnipotent God alone is worshipped with divine honour); since, further, there exists a use of so many ages in the Church, which could not, without the greatest revolutions, be abolished; since, in fine, abuses being removed, the practice is one of very great fruit in the maintenance of piety, I conclude that the usage of venerating the original in the presence of an image (in which alone image-worship consists), is rightly and piously retained, provided it be carefully circumscribed, with the utmost caution, within its own limits. Men should be taught to think and speak aright of matter which appertains to the divine honour; and to avoid those things which are a source of the greatest scandal, and which may alienate the minds of men from the unity of the Church, and even repel those who are prepared to return thereto."—pp. 154-6.

We have now run through the several practical difficulties which the authors of the Tracts object, partly to our doctrines

in themselves, partly to the usages which naturally and necessarily grow up out of them. The plan which we have thus been obliged to follow, has deprived us of the pleasure of transferring to our pages many a glowing testimony to the wisdom and beauty of the Catholic religion, with which the *Theological System* literally teems. But, much as the extracts already made have trench'd upon our limits, we cannot refrain from adding one other noble passage, on the monastic institutions, contemplative as well as active, which occupy so striking a place in the external and disciplinary constitution of the Church. Numerous as are the tributes of admiration to these holy and venerable institutions from philanthropists of every class, we know none from any writer, whether Catholic or Protestant, more worthy of the sacred theme, breathing more of the spirit which it panegyrizes, than the following glowing paragraph:—

“ But since the glory of God and the happiness of our fellow-creatures may be promoted by various means, by command or by example, according to the condition and disposition of each, the advantages of that institution are manifest, by which, besides those who are engaged in active and every-day life, there are also found in the Church ascetic and contemplative men, who, the cares of life abandoned, and its pleasures trampled under foot, devote their whole being to the contemplation of the Deity, and the admiration of his works; or who, freed from personal concerns, apply themselves exclusively to watch and relieve the necessities of others,—some by instructing the ignorant or erring, some by assisting the needy and afflicted. *Nor is it the least among those marks which commend to us that Church, which alone has preserved the name and the badges of Catholicity, that we see her alone produce and cherish these illustrious examples of the eminent virtue, and of the ascetic life.*”

“ Wherefore, I confess, that I have always ardently admired the religious orders, and the pious confraternities, and the other similar admirable institutions; for they are a sort of celestial soldiery upon earth, provided, corruptions and abuses being removed, they are governed according to the institutes of the founders, and regulated by the supreme Pontiff for the use of the universal Church. For what can be more glorious, than to carry the light of truth to distant nations, through seas, and fires, and swords,—to traffic in the salvation of souls alone,—to forego the allurements of pleasure, and even the enjoyment of conversation and of social intercourse, in order to pursue, undisturbed, the contemplation of abstruse truths and divine meditation,—to dedicate oneself to the education of youth in science and in virtue,—to assist and console the wretched, the despairing, the lost, the captive, the condemned, the sick,—in squalor, in chains, in distant lands,—undeterred even by the fear of

pestilence, from the lavish exercise of these heavenly offices of charity! The man who knows not or despises these things, has but a vulgar and plebeian conception of virtue! he foolishly measures the obligations of men towards their God by the perfunctory discharge of ordinary duties, and by that frozen habit of life, devoid of zeal, and even of soul, which prevails commonly among men. For it is not a counsel, as some persuade themselves, but a strict precept, to labour with all the powers of soul and body, no matter in what condition of life we may be, for the attainment of Christian perfection (with which neither wedlock, nor children, nor public office, are incompatible, although they throw difficulties in the way\*); but it is only a counsel to select that state of life which is more free from earthly obstacles, upon which selection our Lord congratulated Magdalen."—pp. 86-90.

In the lengthened comparison which we have now brought to a close, each of the parties throws a certain light on the peculiarities of the other. It is a fond and favourite theory of the enthusiastic Reformers of Oxford, that their Church of to-day is the ancient Church of Christ in England, as reformed by herself; that "the bishops and clergy in England and Ireland remained the same as before separation; and that it was these, with the aid of the secular power, who delivered the Church of these kingdoms from the yoke of the papal tyranny and usurpation." (*Tracts*, 15, p. 4.) We have already examined the historical truth of this assertion, and demonstrated, upon incontestable evidence, that the Reformation of the Church of England was a work purely of the civil power; that, far from having originated with the Church herself, it was literally forced down her throat—weak and passive it is true, but certainly reluctant, and yielding in sullen and discontented, though silent, obedience to each successive innovation.†

Now upon this theory, paradoxical and untenable as it is, rests the whole frame-work of their system; and to it may be traced its many incongruities. Fettered by the hasty and ill-digested articles thus forced upon the Church, in her ill-starred infancy, the more enlarged and Catholic spirit of her sons in modern Oxford is driven into a thousand straits. Hemmed in between the evidence of that Catholic antiquity to which they appeal upon the one hand, and the too Protestant articles of their Church upon the other, they are forced to stop short of conclusions which follow, by a direct and necessary consequence, from their premises. Let the belief of a doctrine,

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\* In the French translation the meaning of this passage, as indeed of several others, is completely lost.

† See "Dublin Review," vol. viii. 334-73.

or the existence of a practice in the primitive Church, be never so evident, they must pause, "in respectful deference," till they have compared it with the modern standard which their Church has set up. They "must not see with their own eyes;" they may not pause, in sorrowful admiration of the majestic remains of sainted centuries, of which their modern Church preserves not the faintest trace, "to speculate how things *might have been* otherwise;" their sole duty is "to live up to them as they are."\* Hence the perpetual efforts to compromise—to combine the old and the new—to reconcile the fact with the theory—to cut down the primitive doctrines, in the fulness of their Catholic spirit, to the cold and soulless forms which were forced upon the English Church, by the open violence of Henry or the underhand intrigues of the partisans of Geneva.

It is easy to account, on the other hand, for the more consistent Catholicism of Leibnitz. Profoundly versed in the theological learning of all the forms of Christianity, he took up his pen to record his judgment on their conflicting claims, with perfect freedom from all bias of party—"as though he had been a neophyte from a new world." He had no pre-conceived theory to which he was bound to accommodate his facts; no system by which the ancient doctrines should be regulated; no Church "against which he might not admit an appeal;" no articles to which "it was unlawful to superadd." He was not forbidden "to see with his own eyes," nor to "criticise a Church which it was not his to amend." If he read in St. Cyril, that, "as, at Cana of Galilee, Christ turned water into wine, so it is not incredible that he should have turned wine into blood" (Cat. xxii. 2), he had no *twenty-eighth article* to fetter his assent. If he were assured that "what seems bread is not bread, though bread by taste, but the body of Christ, and what seems wine is not wine, though wine by taste, but the blood of Christ" (ibid. 9), he was not forced to shut his eyes to evidence, because transubstantiation "overturneth the nature of a sacrament;" and he was at full liberty to believe, that, "for those who had fallen asleep, they offered Christ sacrificed for their sins" (ibid. xxiii. 10), despite the terrors of that sweeping denunciation which reprobates the "doctrine of the Romanists on purgatory" as "a fond thing vainly invented." (Art. 22.)

Such are the causes why two systems, each separated from Rome, and each appealing to the same antiquity, involve,

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\* See the prefaces of volumes i. and ii. of the "Library of the Fathers," *passim*.

notwithstanding, conclusions so diametrically opposed. Can any man, considering even human motives, hesitate to say, to which side the balance of credibility is to be placed?

The work of Leibnitz, interesting to all, may seem especially designed for those who, from prejudice, or education, or habit, have been wont to regard the Catholic faith as a mass of debasing superstitions, unworthy of any philosophic mind. If such there be among our readers, let them remember that this extraordinary volume contains the calm and dispassionate decision of a man whose name as a philosopher, a divine, a historian, and a statesman, is among the proudest that adorn the literary annals of Europe. Let them remember the long and patient discussion by which he prepared himself for this solemn judgment, and the remarkable circumstances under which it was pronounced. It is not the fancy sketch of a stranger who has seen our Church but in passing, and whose imagination may, perchance, have been struck by the majesty of her form, and the beauty of her general outline. Far from it. It is the matured report of one, who has examined every point, from the foundation to the highest top of the edifice—inspected with a scrutinizing and jealous eye—sought out and canvassed every defect—probed to the bottom every fancied unsoundness—not grounded on a hasty view of a few isolated principles of doctrine or a few striking points of practice, nor on the majesty of our imposing ceremonial, nor the beautiful spirit which pervades our pious institutions; but the result of a minute scrutiny into the most hidden details, seeking out the weakest and most suspicious points, looking all the imputed superstitions full in the face, and striking with rigid, and perhaps niggard, justice, the balance of apparent good and evil in the entire system. Nor should we forget—what places the sincerity of the writer beyond the possibility of question—that the *Systema Theologicum* is a posthumous work, committed to paper without any view to publication, in the silence and privacy of the closet, where there was no earthly feeling to bias, no love of paradox to seduce, no external influence to sway—where all was between the writer and his God; nor to be given to the public eye till the cold grave should have closed over himself, and over every human motive which its composition could subserve.

In conclusion, we earnestly reiterate our warmest recommendation of the *Theological System* to the serious consideration of all readers who are not members of our Church; and, specially, of those in whose regard a tardy, but we trust extending, acquaintance with the usages of the primitive times

is daily narrowing the line which separates them from our communion. Let not the circumstance of Leibnitz not having openly professed what his book evidently proves him to have believed, detract, in the eyes of any, from the value of his testimony. However we deplore this unhappy circumstance, as a stain upon his sincerity and a blot upon his illustrious name, we believe that it increases, rather than diminishes, the authority of his opinions; because it removes altogether the suspicion of impulse, or precipitation, and specially of prejudice, which might otherwise attach to his judgment. The most interesting evidence of the spotless morals of early Christianity, is the report of the pagan Pliny; the most convincing proof of the heavenly beauty of her system, is the extorted admiration of her modern philosophical assailants. It may well be doubted whether the cause of Catholicity draws more of popular evidence from the arguments of a Bellarmine, or from the concessions of a Grotius or Fabricius; and we believe, and fervently do we trust, that numbers, on whose ears the most eloquent appeal of Bossuet might have fallen in vain, may perchance open their ears, and their hearts too, to the calm, but irresistible, representations of LEIBNITZ.

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**VI.—*The Poetical Works of Thomas Moore, collected by himself.*** London: 1841. Vols. I to VII.

SOME of the sweetest recollections of our young days are associated with the name of Thomas Moore. The first stirrings of patriotism and of poetry were awakened within us by the Irish Melodies: and the reperusal of them, in this new edition, has brought back to our imagination, feelings, and scenes, and persons long since forgotten,—the fairy land of early home again presented to us; for the home of childhood is the fairy land of riper years—the voices we may never more hear falling again on our ears,—the indignation and defiance that swelled our bosom, while first listening to the charmed tale of Ireland's glory and Ireland's sufferings, again warming our hearts,—

“ The smiles, the tears,  
    Of boyhood's years,  
The words of ‘joy’ then spoken;  
    The eyes that shone,  
        Now dimmed and gone,  
The cheerful hearts now broken ! ”

Strange, indeed, is the prospect disclosed before us, on glancing over the last chapters of our country's history. She has been, for ages, one of the most persecuted nations on the face of the earth, and yet she has given birth to men who stand among the first, in the first ranks of fame. She has been beggared, insulted, cursed, trampled in the dust; yet has she produced, within the last half century, a poet the first of his age in his own peculiar walks,—a host of orators, most of them great, and two, Grattan and O'Connell, perhaps the greatest, certainly among the greatest, in a period fertile, beyond all example, in eloquent men,—a statesman, the latter of these, who, without shedding a single drop of blood, has successfully guided his countrymen through one of the most protracted and arduous struggles a people had ever engaged in,—a warrior (though alas! sometimes the foe of Ireland), “the conqueror of the conqueror of the earth.” Scarcely has the winter of her sorrow begun to pass away, when a harvest of genius springs up, rich and teeming as that which covers her green fields. Many years must yet come, before her condition can be so far improved, as to leave her patriotic children nothing more to wish for than the continuance of the blessings they will have won: but for an increase of renown in the works of genius, she need not look in the future for any thing to outshine the past. The mind and the name of O'Connell will live for ever to instruct, to animate and to guide: and the sweet verses of Moore will never be unremembered or unsung, while there is a heart to feel, or a lip to breathe, in his native land.

Numerous notices of Moore's poetry have appeared, at different times, in the periodicals of our day: some of these we have read, many — we know not how many—we have never seen. We do not profess any deep skill in the mysteries of criticism; nor do we feel much reverence for them, as helps to a correct judgment upon works of pure imagination. The mere pointing out of a beautiful passage will generally do more to make it understood and felt as such, than the most elaborate analysis upon the principles of art. The merely mechanical part of the poet's workmanship is improved, and may to some extent be acquired, by attention to rules and philosophic maxims: but the soul, the “*spiritus intus alens*,” can be as little felt as produced, without that faculty which nature gives, and which art can do little to mend: upon *this* philosophy can exercise little other influence than to chill, as a delicate flower fades when pressed by the hand. We do

not propose, then, to write a critical essay upon the volumes before us: we shall content ourselves, in this short paper, with offering a few remarks upon the “Genius of Moore,” as it is developed in some of his prose and poetical works.

The exhaustless richness of Mr. Moore’s fancy is, of course, the first characteristic of his mind that would strike the reader of his poems, and is that, accordingly, which his critics have never failed to notice. It would appear that he possesses the faculty of association, just as much as the faculty of perception: he sees no object singly or nakedly: no idea ever crosses his mind, that is not followed by one like to itself, as star follows star, both flashing light. The precious gems, which others treasure up and barter not, are his common coin: they scatter a few images over their pages, to give value and lustre to the meaner materials, of which the rest is composed; but by him they are not used to adorn or diversify, but to make up the whole. Similes and metaphors come at his bidding, as spirits rise at the enchanter’s voice, as though he ruled the world of fancy, in which others are but ministers or sojourners. This has been ascribed to him as a fault, and no doubt,—as there *must* be faults somewhere,—in this he has sometimes, let it be granted frequently, transgressed. Great endowments lead to petty imperfections; great bravery is often reckless, great generosity is often extravagant, great prudence often misses fine opportunities. Homer is simple and natural, and therefore he sometimes proses and spins out; Virgil is polished, and therefore he is sometimes pedantic; Moore holds unbounded sway over the region of fancy, and therefore, like other monarchs, he is sometimes over-bounteous in bestowing his gifts. Different works suit different tastes. Some prefer Byron, for his splendid diction and his vehement passion; some prefer Campbell, for his correct and classic chasteness; some prefer others, from other motives of predilection. Moore has numberless admirers, perhaps as many as the former, certainly far more than the latter. Those who delight more in the murky glimmer of Scotch metaphysics, than in the pleasant fancy, which entertains us, or the fine old truths which men can understand and benefit by; those who love the bleak, the barren, the desolate, need not look to his pages for interest or amusement; he has not written for them. But those who would rather laugh, than “weep this wearied life away,”—his gay countrymen among the rest,—those who love the green fields more than the rocky desert, the sunny more than the cloudy skies,—are all his; and well may he be

content with their homage, for they are the best, as well as the happiest of men.

Nearly allied to his splendid fancy is the wonderful power which he possesses over the expressive and harmonious parts of the language. No man ever brought the music of our poetic numbers so nearly to rival the sweet rhythm of the Doric dialect, without sacrificing in any case sense to sound. The musical flow of his lines is more enhanced, when they become the vehicle of sentiments—if we be allowed the expression—musical as the words themselves. Thus, in the Peri's song :—

“‘How happy,’ exclaimed this child of air,  
Are the holy spirits who wander there,  
Mid flowers that never shall fade or fall ;  
Though mine are the gardens of earth and sea,  
And the stars themselves have flowers for me,  
One blossom of heaven out-blooms them all.

“‘Though sunny the lake of cool Cashmere,  
With its plane-tree isle reflected clear,  
And sweetly the founts of that valley fall ;  
Though bright are the waters of Sing-Su-Hay,  
And the golden floods that thitherward stray :  
Yet oh ! ‘tis only the blest can say,  
How the waters of heaven outshine them all.

“‘Go, wing thy flight from star to star,  
From world to luminous world, as far  
As the universe spreads its flaming wall :  
Take all the pleasures of all the spheres,  
And multiply each through endless years,  
One minute of heaven is worth them all.’”

We need not extract further : we know not what we should prefer, or where we should stop. Among the sources of intellectual delight, a high place is unquestionably due to mere harmony of language. Nor is this neglected, even in cases where great ends are to be attained, important questions to be decided, by means of speech. The finest passages in modern, and yet more in ancient eloquence, those which moved men's hearts, and changed their resolves the most, are particularly remarkable for the selection and arrangement of words, so admirably adapted to the sentiment, as a benevolent expression of countenance is the natural companion of a meek and amiable disposition. In poetry, of course,—whose first end is to please,—the harmony of language must be a more indispensable requisite, and a subject of higher praise.

It has been said by one of Moore's critics, that "his poetry is essentially that of *fancy*; or, if there be passion in his effusions, the fancy by which it is expressed predominates over it." If by passion is here meant the strong and stormy feelings of the soul, revenge, disdain, demoniac hatred—and no doubt this is meant—the remark is correct enough. The bent of Mr. Moore's genius, and, we may add, of his disposition, did not lead him in this way. He is evidently no lover of strife and bloody conflict: he is too much a man of benevolence and charity, to delight in scenes that shock and harrow up the soul, and, when the course of his story leads him to such topics, he throws indeed the light of his genius over them, but does not enter into them with all his heart: in the midst of the darkness and the tempest, there is heard a soft note of peace, there is seen a streak of light,—

"Like moonlight on a troubled sea,  
Brightening the storm it cannot calm."

But in the softer passions of affection, pity, sorrow, joy, those which belong to men in their natural state, of peace and social comfort, those which preside over the domestic hearth, or the festive board, or the places of religious worship,—in these he possesses a power of painting never surpassed. To find proofs of this we need not go beyond the Irish Melodies; we need but open them at random, to find some of the most touching sentiments of feeling that ever spoke from heart to heart through the medium of words. We may refer to the following, among many others:—"Go where glory waits thee,"—"Erin the tear,"—"The meeting of the waters,"—"The last rose of summer,"—"The song of O'Ruark,"—"My gentle harp," &c. &c.

Seldom is a writer the best judge of the relative merits of his own works, especially if they be works of imagination. Mr. Moore forms an exception to the general maxim: in the preface to the fourth volume he says,—".... the Irish Melodies,—the only work of my pen, as I very sincerely believe, whose fame (thanks to the sweet music in which it is embalmed) may boast a chance of prolonging its existence to a day much beyond our own." All the world will, we are sure, agree with him in the truth of this anticipation, as far as regards the lasting fame of the Melodies: and, we are equally sure, all the world will disagree with him, in his too modest opinion, that it is the *only* work of his pen of which this can be said, and that its fame is owing, among the great bulk of his

readers, "to the sweet music in which it is embalmed." The thoughts themselves, and the fair forms in which they are clothed, possess a charm absolutely independent of everything else. Music may give the additional, and—to speak our own sentiments plainly—the far less charm of sweet voice: but the immortal soul, the undecaying beauty of outward shape, are there, which, though they never spoke in musical notes, can never cease to be admired.

This is indeed a truly wonderful work, whether we view it as a production of rarest genius or as a precious repository, in which are treasured up the essence of all the purest and warmest and noblest feelings, the joys and sorrows, the hopes and regrets experienced by a brave and kind-hearted but unfortunate people, through long and chequered ages. In the first point of view, we look in vain through the literature of other nations for a work like this. Fragments we meet with, indeed, beyond which, in their own way, the mind of man is, it would seem, incapable of producing anything more perfect—isolated effusions which some happy occasion, not to occur again to the same person, brought into being. But for a series of poems like the Irish Melodies, so perfect in all that makes perfection, in simplicity, in beauty, in condensation of thought, we search but find not. Here we meet not some solitary spot which art and nature had combined to adorn with the richest productions of both, and beyond which succeeds the common-place scenery: but we pass through Elysium after Elysium, each rivalling the other in beauty, and stretching out, far as the eye can reach, an endless path of loveliness and splendour; we have flowers for every fancy, and, as we proceed, the fascinations of beauty are kept ever fresh by the charms of variety. The measure and the tone of sentiment in the Irish Melodies are ever changing, and would speak as if the language of different minds, but for the "hidden soul of harmony" which pervades them all, and shows them to be the production of one master spirit. We read them, not as we read other poems, for an hour or a day or a season, then betaking ourselves to a more serious occupation or a more novel amusement: but we get them by heart, and repeat them over and over again, whether we are sad or gay, whether we are alone or in society. They do not sparkle in the memory for a time, and then fade insensibly away; but they sink deep into the heart and form a part of the feelings, of the thoughts, of the language we never forget. We recite them or sing them in warm youth, in sober manhood, in grave

old age: we are never tired of them—any more than of the faces of our parents, our brothers and sisters, whom we love from the impulse of nature, not of passion—any more than we grow tired of the light of day, in which we are moving from our first to our latest breath.

Ireland is proud of this work, and justly; it is her own in its general theme, in the sentiments it breathes, but, above all, it is her own in the immortal genius impressed upon its every page. No one but an Irishman could have written it. We have somewhere seen it asserted that the influence (which all must admit) of the Irish Melodies in advancing the great cause of Catholic emancipation was exerted in the higher circles of English society, where the language of them and the sweet music to which it was wedded, excited a sympathy never before felt for the suffering country. This is but a very small part of the truth. That a sympathy was excited in those high places we can readily believe; for we believe that genius can work even greater miracles. But it was not there that their magic power was most felt: it was not there that the first whisperings of the voice that ere long spake in thunders to the ears of the oppressors were first heard. It was among the people of Ireland, who were in reality their own emancipators, that the songs of their own bard helped to kindle the flame that afterwards blazed forth. It was among the middle, and even some of the lower orders, where most of the original airs were still preserved, that the melodies were most cherished, most repeated, most sung: it was often by felicitous quotations from them, sometimes embodying the point of an eloquent harangue, that the great father of his country sent home to the popular mind, and fixed there, the maxims of liberty and patriotism. Let not Mr. Moore be led to suppose that the sentiments of his melodies were too refined for the understandings, or their music little known to the ears of the more humble among his countrymen: let him not be led to suppose that the sphere of their greatest popularity was the saloon and the drawing-room. We know that among the peasantry, the scorned, the oppressed, the uneducated peasantry, the “hewers of wood and drawers of water,” the notes of his patriotic songs were raised. We have mixed not a little with them, and with the middle classes still more; and seldom have we been present at one of their merry meetings, that we have not heard some of these divine strains sung, with a charm of voice, and, still more, with an intensity of feeling, which, if their author himself could have witnessed, he would

have seen how little of inspiration was required to foretell with undoubting certainty that—

“—— though his memory should now die away,  
‘Twill be caught up again in some happier day;  
And the hearts and the voices of Erin prolong,  
Through the answering future, his name and his song.”

But, perhaps, among no other class were the melodies so popular as among the generous, the laborious, the simple-minded clergy of Ireland. They who, above all, witnessed and felt for the miserable condition of the people; they whose minds had been cultivated and refined, without being corrupted by the education they received; they who, being versed in the ancient history of their country, knew all that she had once been and all that she had since become, could not fail to sympathize, in a special manner, in language and music which, like those of the Melodies, so faithfully expressed the alternate feelings of pride for the past, of sorrow and indignation for the present, of hope and daring for the future. We could name a score or two of the melodies, and would venture to assert, that there are not a score of priests in Ireland who have not some three or four of them by heart: and we know moreover that, next after Gregory XVI, Queen Victoria, and Daniel O'Connell, there is not a greater favourite on earth with that venerated order than Thomas Moore, nor one who would receive a more cordial welcome at their hospitable boards.

If the *Irish Melodies* display so strikingly at once the genius and the patriotism of their author, no less Irish in their sentiments, no less sparkling with the same genius—exhibited in another form—are the innumerable witty effusions, in which the follies and crimes of the enemies of human liberty and of Ireland are immortalized. The “Twopenny Post Bag,” the “Fables for the Holy Alliance,” the “Fudges in Paris and in England,” the “Reprinted Trifles,” though, of course, containing many things which have lost much of their flavour with the occasions that produced them, are, as a whole, by no means to be ranked among the ephemeral productions “which are laughed at for a season and then forgotten.” The fraud, the rapine, the hypocrisy, the tyranny, against which some of the most beautiful of these sportive missives are directed, are not certainly among the manners and follies of a day. There is no rashness in supposing that, while the world lasts, there will be bigots, and despots, and villains, and fools, to be

laughed at, or despised, or resisted. The characters of Moore, though drawn from individuals, represent a species that, luckily for the excitement or amusement of mankind, are not likely ever to become extinct. While there are two religions in this country, or rather while there continues to exist a Church establishment, Mortimer O'Mulligan, and the Curate of Romaldkirk, and Dr. Phillpotts, will always remain living and substantial personages : while there are the weak and the strong, the simple and the crafty, the bullock will, in some places, and in some way or other, be sacrificed to the fly ; religion and royalty will play their freaks, and the cutting humour and playful sarcasm of Thomas Browne the younger will be understood and relished. But, independently of their permanent faithfulness as pictures of men and things, these poems possess a still surer passport to immortality, in the abundant display of the same qualities which elsewhere characterize the author's mind, enriched here by the additional charm of his no less characteristic wit. The following, though, we suppose, already familiar to our readers, we cannot resist the temptation of quoting. We know of nothing in the whole circle of humorous writing more perfect ; the points are so playfully yet so strongly put, the imagery so delightful, the versification so exquisitely harmonious.

“ A DREAM OF HINDOSTAN.

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*Risum teneatis amici.*

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“‘ The longer one lives, the more one learns,’  
 Said I, as off to sleep I went,  
 Bemus'd with thinking of Tithe concerns,  
 And reading a book by the Bishop of Ferns,\*  
 On the Irish Church Establishment.  
 But, lo, in sleep not long I lay,  
 When Fancy her usual tricks began,  
 And I found myself bewitch'd away  
 To a goodly city in Hindostan,—  
 A city, where he, who dares to dine  
 On aught but rice, is deemed a sinner ;  
 Where sheep and kine are held divine,  
 And, accordingly—never drest for dinner.  
 “‘ But how is this ?’ I wondering cried—  
 As I walked that city, fair and wide,  
 And saw, in every marble street,  
 A row of beautiful butchers' shops,—

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\* An indefatigable scribbler of anti-Catholic pamphlets. (*Author's note.*)

'What means, for men who don't eat meat,  
 This grand display of loins and chops ?'  
 In vain I asked—'twas plain to see  
 That nobody dared to answer me.

"So, on, from street to street I strode ;  
 And you can't conceive how vastly odd  
 The butchers look'd,—a roseate crew,  
 Inshrinéd in *stalls*, with nought to do ;  
 While some on a *bench*, half dosing, sat,  
 And the Sacred Cows were not more fat.

"Still posed to think what all this scene  
 Of sinecure trade was *meant* to mean,  
 'And, pray,' ask'd I, 'By whom is paid  
 The expense of this strange masquerade ?—  
 'Th' expense ! Oh, that's of course defrayed  
 (Said one of these well-fed Hecatombers),  
 By yonder rascally rice-consumers.'  
 'What ! they, who never must eat——'  
 'No matter——

(And, while he spoke, his cheeks grew fatter)  
 The rogues may munch their *Paddy* crop,  
 But the rogues must still support our shop.  
 And, depend upon it, the way to treat  
 Heretical stomachs that thus dissent,  
 Is to burden all that won't eat meat,  
 With a costly MEAT ESTABLISHMENT.'

"On hearing these words so gravely said,  
 With a volley of laughter loud I shook ;  
 And my slumber fled, and my dream was sped,  
 And I found I was lying snug in bed,  
 With my nose in the Bishop of Ferns's book."

The style of these humorous poems, though often familiar, is never vulgar or savage. There is no misanthropy, no hankering after blood and devastation ; none of that intensely vehement hatred which banishes from the heart every feeling but that of revenge. Moore makes his victims smart, but he does not scourge them with scorpions ; he puts the fool's cap upon their heads, and they are laughed at and hissed away, but he does not array them in a burning helmet and a cloak of fire. It is the easiest thing in the world to scold bitterly, to call foul names, to pour out a torrent of invective upon some devoted head. For success in this line, the best requisite is undoubtedly a heart overflowing with gall : then let some man of exalted rank be fastened upon—no matter whether he be a thoroughly bad man or not—he has com-

mitted some faults, he has had the honesty to be sometimes inconsistent, he is not free from the errors of fallible man. But it is necessary for the views of a party that he should be crushed, and strong must he be in the consciousness of integrity, and fearless of results, who is able to bide the “ pelting of the storm ” which is made to break upon him. Thus it is that the Catholic priesthood and the Catholic religion in Ireland have been always treated ; thus it is that the champion of both has fared, through the forty eventful years, during which he has served his country. From the ponderous *Times* down to the small village paper, what crimes have not been imputed to him and them ! what abuse has not been discharged, from year to year, from week to week, from day to day ! And if, in his turn, *he* does not adopt soft and silken phrases—if he did, he would be as much an object of our contempt as he is now of our love and veneration—he is, forsooth, so vulgar and unmannerly ; and this, too, in speaking of men who avow their undying hostility to his country and his creed, of men whom their own friends would not dream of accusing of any prejudice in favour of liberty, or toleration, or mercy. Having to deal with a people among the most excitable in the world, and wielding a power over their passions immeasurably greater than that exercised by the Athenian orator, when his appeal was answered by the universal cry, “ Let us go, let us march against Philip,” he has used his influence only to urge them on in a bloodless struggle, to temper their indignation while he calls forth and combines their energies. He often lashes his country’s foes,—not half so often nor half so fiercely as they deserve : but his language is never truculent, never breathing of the spirit that persecutes unto death, but only of that which struggles for justice and freedom, and then leaves the oppressor to the pity of man and the mercy of God ; his face, like his eloquence, often lighting up with a ray of benignity and good-humour. This is thoroughly Irish. The people of Ireland are by no means good haters ; a soft word, a kind promise, cool and disarm their rage at once. They are fond of fighting, no doubt, but only “ for fun,” and the former they can never separate from the latter. Hence it is that, as we have ourselves not seldom witnessed, the remonstrances of a hundred peacemakers will not effect half so much as a few humorous strokes, in settling a quarrel : hence it is that so many of their national ballads have a strange mixture of indignant patriotism and indescribable drollery.

Moore is in this respect just as national in his *Humorous Poems* as in his *Melodies*. For instance—

“ When we see Churchmen, who, if ask'd  
     ‘ Must Ireland's slaves be tit'h'd and task'd,  
     And driven, like Negroes or Croats,  
         That *you* may roll in wealth and bliss ? ’  
     Look from beneath their shovel hats,  
         With all due pomp, and answer ‘ Yes ! ’  
     But then, if questioned, ‘ shall the brand  
     Intolerance flings throughout the land,  
     Betwixt her palaces and hovels  
         Suffering nor peace nor love to grow,  
     Be ever quenched ? ’ —from the same shovels  
     Look grandly forth, and answer ‘ No.’ ”

*Fables for the Holy Alliance.*

Our readers cannot fail to notice in this extract the felicity of diction, the terseness, and the pregnant brevity, which give to wit both keenness and brilliancy, and without which, the most humorous thought is, like unwrought ore, good neither for use nor show. Those qualites of style which impart strength and simplicity, which render language a medium of thought, and not the chief object of attention, at the time of reading, are, in every sort of composition, to be more or less attended to : in the sublime and pathetic, they are essential ; in the witty, they make not only an essential, but a principal, part. Hence it is that the best proverbs, and most popular sayings, are remarkable for the simplicity, the brevity, and the propriety of the expression. The critic's remark upon the contrast of the famous *Quid times? Cæsarem rehis*, with Lucan's declamatory paraphrase, is familiar to every one. A pointed thought, which requires to be explained or amplified in order to be understood, may contain a very wise maxim, but will never make a striking impression ; the blow must tell at once : if it requires to be repeated, we would as soon listen to the sound of a cobler's hammer, or the striking of an old family clock. Moore is a perfect master of the copious style, and he employs it, with no small effect, when his object is not to surprise, but to detain and please, the imagination, as in the description of the caliph's army in *Lalla Rookh* : nor is it a weak evidence of the versatility of his genius, as well as of the correctness of his judgment, that he has so far chastised his fancy upon occasions which required a different, we might say an opposite style. The ludicrous comparison in the following

extract illustrates the remark, that his language, even where most familiar, is never low.

“ Murtagh is come, the great Itinerant,  
And Tuesday, in the market-place,  
Intends, to every saint and sinner in’t;  
To state what *he* calls Ireland’s case ;  
Meaning thereby the case of *his* shop,—  
Of curate, vicar, rector, bishop,  
And all those other grades seraphic,  
Who make men’s souls their special traffic,  
Though seldom minding much *which* way  
Th’ erratic souls go, so they *pay*.—  
Just as some roguish country nurse,  
Who takes a foundling babe to suckle,  
First pops the payment in her purse,  
Then leaves poor dear to—suck its knuckle :  
Even so these reverend rigmaroles  
Pocket the money, starve the souls.”

*Fudges in England.*

Much in the same style is the following extract from

**“ A CORRECTED REPORT OF SOME LATE SPEECHES.**

“ Saint Sinclair rose and declared in sooth,  
That he wouldn’t give sixpence to Maynooth ;  
He hated priests the whole of his life,  
For a priest was a man who had no wife,\*  
And having no wife, the Church was his mother,  
The Church was his father, sister, and brother.  
This being the case, *he* was sorry to say,  
That a gulf ‘twixt Papists and Protestants lay,†  
So deep and wide, scarce possible was it  
To say even ‘ how d’ye do ?’ across it ;” &c. &c.

Our limits are fast narrowing upon us ; but we *must* give the following lines : we cannot omit them, and we dare not mutilate them.

“ COLLEGE.—We announced in our last that Lefroy and Shaw were returned. They were chaired yesterday ; the students of the College.....harnessing themselves to the car, and the Masters of Arts,

\* “ He objected to the maintenance and education of a clergy bound by the particular vows of celibacy, which, as it were, gave them the Church as their only family, making it fill the places of father and mother and brother.”—Debate on the Grant to Maynooth College, *The Times*, April 19. (Author’s note.)

+ “ It had always appeared to him that between the Catholic and Protestant a great gulf intervened, which rendered it impossible,” &c. (Author’s note.)

bearing Orange flags and bludgeons, before, beside, and behind the car."—*Dublin Evening Post*, Dec. 20.

"Ay, yoke ye to the bigot's car,  
 Ye chos'n of Alma Mater's scions ;—  
 Fleet chargers drew the God of War,  
 Great Cybele was drawn by lions,  
 And sylvan Pan, as poets dream,  
 Drove four young panthers in his team.  
 Thus, classical L—fr—y, for once, is,  
 Thus, studious of a like turnout,  
 He harnesses young sucking dunces,  
 To draw him, as their chief, about,  
 And let the world a picture see  
 Of Dulness yoked to bigotry :  
 Showing us how young college hacks  
 Can pace with bigots at their backs,  
 As though the cubs were born to draw  
 Such luggage as L—fr—y and Sh—w.  
 Oh, shade of Goldsmith, shade of Swift,  
 Bright spirits whom, in days of yore,  
 This Queen of Dulness sent adrift,  
 As aliens to her foggy shore ;—  
 Shade of our glorious Grattan, too,  
 Whose very name her shame recalls ;  
 Whose effigy her bigot crew  
 Revers'd upon their monkish walls,\*—  
 Bear witness (lest the world should doubt)  
 To your mute mother's dull renown,  
 Once famous but for Wit turned *out*  
 And Eloquence turned *upside down* ;  
 But now ordained new wreaths to win,  
 Beyond all fame of former days,  
 By breaking thus young donkies in  
 To draw M.P.'s, amid the brays  
 Alike of donkies and M.A.'s ;  
 Defying Oxford to surpass 'em  
 In this new 'Gradus ad Parnassum.'"

All the extracts we have given have been long before the public eye. But, besides that we could not avoid selecting a few illustrations of our brief remarks, we have no doubt but that our readers will thank us for again presenting them with

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\* "In the year 1799, the Board of Trinity College, Dublin, thought proper, as a mode of expressing their disapprobation of Mr. Grattan's public conduct, to order his portrait, in the Great Hall of the University, to be turned upside down, and in this position it remained for some time." (*Author's note.*)

these exquisite specimens, which, though we have long had them by heart, have lost none of their freshness in our eyes : “ though repeated a thousand times, they please.” Of the rest of Mr. Moore’s Poems we shall say nothing. Our observations upon the principal of them, *Lalla Rookh*, *The Loves of the Angels*, &c., would swell this article to an immoderate length : but we have other, and far stronger, reasons for stopping here ; and these we must leave our readers to guess. We proceed to offer one or two observations upon his talents as a writer of prose.

In the few specimens which we possess of Byron’s prose,— admirable as they are for the purity and simplicity of diction and of style, and of the highest promise as to the eminence he would have attained as a prose writer,—we see little more of the distinguishing characteristics of his poetry, than its abruptness and earnestness. Of the splendid declamation, of the impetuous passion, of the bursting indignation and fierce scorn, which blaze forth in his verses, there are almost no traces. Not so with Mr. Moore. His prose style bears the peculiar impress of his mind—chastened, of course, and tempered down—but still *Moore’s* prose, resplendent with the same imagination, charming by the same clearness, and simplicity, and sweetness. In his earlier prose writings, there was much feebleness, and not a little affectation : he was then practised in only one species of composition : he had not yet learned the important maxim, that what makes the best poetry often makes the worst prose ; or the still more important one, that a simile, or a metaphor, or an antithesis, prove nothing ; and that, while these, and other ornaments of language, make up the main materials of poetry, because they chiefly contribute to its *direct* end, which is to please, they form but a subordinate and instrumental part of prose (we speak not of novels, tales, and the like, which are poetry without metre), whose end is to teach, to prove, or to persuade. In his latter writings, he speaks the language of a full-grown man ; the language, not of one who has some fine images in his mind and is in search of a topic to embellish with them, but who has something to say, worth hearing for its own sake, and who wishes to speak it out. The improvement in his style has been in a remarkable manner progressive. From the prefaces and notes of his earlier poems, to the pamphlet on the Veto Question, and from this to other occasional pieces that appeared afterwards from time to time, there is a gradual ascent, a gradual increase of energy. But it was the publication of

that inimitable book, *The Memoirs of Captain Rock*, which placed him at once in the first rank of our prose writers. Here he had a subject to work upon, which gave the amplest scope to the display of his various powers; and nobly did he turn his opportunities to account. In this little volume, there is a combination of the gayest humour with the most pathetic eloquence; of deep and accurate knowledge, with an elasticity of mind which no weight of erudition would seem capable of breaking down: there is narrated a history of the same monotonous course of cruelty and suffering, protracted through many ages, with little interruption or variety, yet told in a manner so interesting, that we pursue the narrative to the close, with a sympathy and attention that never fail. The *Life of Sheridan* was, notwithstanding the subject, a further improvement. With all his eloquence, and all his wit, and, we are willing to believe, with all the natural goodness of his disposition, Sheridan, we cannot help thinking, exhibited in his life the worst of some of his countrymen's faults, as his biographer has exhibited some of the brightest of their virtues. Whatever may have been the cause, whether the weakness or wickedness of his heart, there can be no doubt but that he was a bad private character, and very far from being a good public one. The writer of such a man's life, if, through a feeling of friendship or humanity, or through an admiration of splendid talents, however misapplied, he would be disposed to represent his character in a better light than the world would be disposed to view it in, must feel himself straitened between the love of truth and affection for a departed friend, who could no longer vindicate himself, and whose faults, if they cannot—as assuredly they cannot—be excused, are at least palliated, by the difficulties and temptations that beset his path. The *History of Ireland*, of which the public are impatiently expecting the fourth and (we hope *not*) concluding volume, is, in our opinion, by far the best written of all his prose works. We could select passages from his other writings, single sentences or paragraphs, superior, perhaps, to any in the History. If we were disposed to speak in paradox, we should say that this is one of the grounds on which we give a preference to that work: but we reserve all we have to say on these inestimable volumes for a future occasion, as we mean to devote an article to this work exclusively, very soon.

\* The *Travels of an Irish Gentleman*, one of the most remarkable books of the age, we cannot pass over without special notice. That the work should be well written, that it

should abound in wit and eloquence, was to be expected as a matter of course ; but that it should contain much solid argument, or many sober truths, and that it should be almost perfectly free from doctrinal inaccuracies, was not so surely to be hoped for, when we consider, on one hand, the subject—one of such vast extent, and demanding many long years of deep thought and reading—and, on the other, the risk which he who attempts to expound and defend Catholic truth, in a popular manner, runs of deviating from the form of sound words, as well as from the substance of sound doctrine, often separated but by a hair's breadth from error. Still more perilous was the risk of failure in Mr. Moore's case, from the very superficial acquaintance which it would be natural enough to suppose that he possessed with the thorny and dark ways of controversial divinity. With the romantic mythology of the east and of the west ; with the poetry of many nations ; with history and travels, and modern languages ; with much other miscellaneous and “out of the way sort of learning,” every one knew that his mind had been well stored : but, that the author of *Lalla Rookh* would have devoted himself to the study of religious controversy, in a very serious manner ; and that he would have gathered much of the ecclesiastical lore of ancient and modern times ; and that he would have written two volumes, embodying the result of his labours, in a very interesting and instructive form—who could have believed it? The citations from early writers, in the first volume, had been long ago collected and digested. There are, however, manifest evidences, even here, of sifting examination, and no ordinary research : while, in the rest, in the collection of Protestant opinions and testimonies, and in the truly learned and striking view of the spirit and progress of German rationalism, and of the fruits of an indiscriminate perusal of the scriptures, and, indeed, in the arrangement and moulding of the matter of the whole work, there are exhibited the workings of a mind eminently active, vigorous, and original.

These volumes, indeed, display a peculiarity of Mr. Moore's intellect, which is the more remarkable, and deserves to be the more emphatically pointed out, as we can hardly name another, in ancient or modern times, in whom this peculiarity exists in so eminent a degree. We allude to the acute and solid reasoning powers of one who has devoted his life to poetry, and become one of the “eminent masters of the art.” Let us look to his contemporaries ; the few specimens left of Byron's attempts at raciocination, show an almost puerile degree of

mental weakness. Southe, with all his learning and imagination, his singular felicity in narrative, his exquisite purity and vivacity of style, when he attempts to reason, as in his *Book of the Church*, sinks into a driveller, and rants as incoherently as a Colquhoun or a Gregg. Sir W. Scott seldom attempts an argument, and, when he does, he is as unsuccessful as a writer, so intolerant in religion and politics, deserves to be. We have not space for further illustrations. If we look to other times, Milton was one of the most learned men of his own, or of any, age: nor was his early education, or the pursuits of his latter years, wanting in those exercises which sharpen and mature the reasoning faculty. He was versed in scholastic writings: he was half his life engaged in controversies, and wrote voluminous treatises on topics which gave the widest scope for argument, and could not be adequately discussed, except by argument. Yet, though "he crowded the page with figures, instances, and invectives, carrying away all objections by the force of his own consciousness of power, and the impetus it received from strong convictions, he rarely ventured on a definition or a syllogism . . . He furnished immense data for argument, but seldom argues himself, and never with precision."\* We do not mean to say that in the *Trarels* we may not sometimes meet an argument not altogether invulnerable. It is enough if Mr. Moore argues well, where his object is pure argument: the work is not written for scholastic divines, although, assuredly, there are very few such who would not read it with profit.† We have no objection to see the pillars of truth enwreathed with flowers of fancy, which adorn, without concealing their strength: at least, we are sure that the class of readers to whom Mr. Moore addressed himself, expected so much, and would not have been satisfied with less. We confess that, if we were to speak in reference to our own individual taste, we would prefer having argument, and nothing but argument, on questions wherein it alone can lead us to a correct decision; leaving to poetry and eloquence and fine writing, their proper places and their proper spheres, which are numerous and large enough: but we know that the bulk of men do not think, or feel, with us: we know, to bor-

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\* "Bell's Lives of the Poets," vol. i. p. 182.—An impartial and remarkably well-written work.

† Mr. M. is not perhaps aware that his work is referred to with praise, even in scientific treatises on theology, as (among others), several times in Dr. Kendrick's learned and very valuable "*Theologia Dogmatica*," 4 vols. 8vo. Philadelphia, 1839-40.

row the words of an ingenious writer, that “the generality of minds are incapable of digesting and assimilating what is presented to them, however clearly, in a very small compass,” and that “it is necessary that the attention should be detained for a certain time upon the subject.” The case is different with regard to books written exclusively for the learned and studious by profession : their attention is habitually stimulated, and their appetite habitually whetted, for the reception of naked propositions and proofs. Add to this, the various influence which the different sorts and degrees of evidence have upon different minds, from the full and steady blaze of direct demonstration, to the feebler light of simple probability ; and we shall at once see how exceedingly narrow-minded and erroneous are the views of a few persons (very few indeed), who foolishly think to hide the weakness and poverty of their own minds, and to gain for themselves a character for solidity of thought, to which they have not the slightest claims, by declaiming for ever against eloquence and imagination. Thus much, at least, is certain, that the greatest lights of religion, in every age, have thought, and spoken, and written, in a far different strain: let St. Augustine represent ancient, and Bossuet modern, times—two who possessed, if ever man possessed, the powers of solid reasoning, in the first degree ; who knew how to surround with glory and with charms, while they displayed the strength of, saving truth. We may just remark, that we have never yet known one of those rabid declaimers against eloquence, who was not, when brought to the test, found as poor in argument as in oratory. The ground was essentially barren, and could as little produce the massive trunk, as the ripe fruit or the luxuriant foliage.

It needs hardly be added, that Mr. Moore has shown much good sense, in not having taken any serious notice of the several attacks and replies which the *Travels of an Irish Gentleman* called forth. It has become the fashion, rather more so of late, we believe, than formerly, with obscure or disreputable persons—small wits, who are desirous of being talked of, where they are not known, beyond the low haunts which they frequent, or the vile faction to which they belong—to single out some eminent character, or publication, as an object of virulent and incessant attack. A few facts are invented or distorted ; a copious vocabulary of scurrilous epithets is collected ; a furious zeal manifested for some popular measures, or some popular leaders ; a supply of those phrases which embody much of the people’s feelings and opinions, like Wilkes’s cry of *Liberty*,

and which bad men, like Wilkes, use for the worst of purposes, and good men, like our O'Connell, use for the best: these are the materials, of which the individuals of this worthy tribe, without character, and generally without a name, expect to build their fame and their fortune. All they seek for is notoriety; and this, many of them would as soon acquire (but for the penalty), by burning the parliament house, or firing at the Queen. Let them be noticed by those against whom their libels are directed, and they rise at once to the wished-for level. Let the earth be stirred about their roots, and they shoot up rapidly: let them be neglected, and, as weeds are killed by the frost, they soon die, and rot back into their native obscurity. Mr. Moore has wisely left his work to its own merits; and the result is, that, though a great deal of clatter was kept up by the Orange-press for some time after the appearance of O'Sullivan's reply, the former is still read, and will continue to be read and admired by thousands,—the latter has long since sunk into utter oblivion. We are glad, however, that he *has* taken notice, not indeed of the reply, but of the replier; and of the pestilent tribe of "surpliced ruffians," who have been, for the last eight years, occupied in disseminating the most atrocious and demoralizing slanders, through the whole empire. We need not tell our readers who *they* are: we need not tell them of the *forgesies* and abominable calumnies which, in Exeter Hall and innumerable other places, have, year after year, issued from the lips of lay and reverend incendiaries, against the Church and priesthood of Ireland, and against Maynooth, the centre and stronghold of both, until the heart of Protestant England has been tainted, if possible, with a deeper corruption—until the minds of the Irish people are maddened by charges, as irritating as those heaped upon the early Christians, and as unfounded. Who could wonder, if, under the influence of such galling calumnies, our national spirit had, in a moment of excitement, risen beyond the controul of religious forbearance; and, in imitation of our northern sister, prostrated her Established Church? But, blessed be God! we have been better guided;—thanks to our much calumniated priests and patriots. Mr. Moore has very happily exposed the folly and the wickedness of the "reverend rigmaroles:" and those who may think that their mischievous freaks are not yet sufficiently injurious to public peace and public decency to demand a more substantial chastisement, will find abundant materials for ridicule in the *Fudges in England*.

We must here conclude for the present. We ought, perhaps, to apologize, both to Mr. Moore and to the public, for this hasty article. But we had too long neglected to notice this "Sweet Son of Song," the pride of Ireland, and the ornament of literature; and we thought it better to give expression to our feelings and opinions, however briefly and passingly, rather than defer any longer, in the hope of being able to present our readers with a more elaborate and lengthened criticism. After all, perhaps, the first warm thoughts, as they come directly from the writer's heart, may be surer to find a welcome in the reader's: if there be less of philosophy, there may be more of truth and sincerity.

As we close our little "labour of love," we cannot help asking ourselves, must it be that the people, who have produced such a man, their mind living, as it were, epitomized in his splendid effusions, are to remain for ever insulted and enslaved—for they are yet far from being free? Can it be that, while their genius is admired, while their public and domestic virtues cannot be denied, they must be still doomed to be treated as aliens in their own country, to be shut out from a participation of the rights they so earnestly sue for, and are so fitted to enjoy? Their lovely land is crowded with hovels, which give covering without shelter, and repose without comfort; they are starving in the midst of plenty; they are wretched in the midst of nature's richest gifts. Notwithstanding the degrading and demoralizing influence of the worst rulers, and the worst laws that ever scourged and disgraced this earth, their country presents, for the last few years, under a better-meaning government, a picture of moral grandeur to which history cannot furnish a parallel—factious feuds extinguished, intemperance banished, crime unknown, a steady spirit of peace pervading the whole length and breadth of the land, as though the voice of discord had never been heard there. Can it be, then, that such a people are to live on, as of old, slandered, mocked, oppressed, and plundered? It requires no deep foresight to see that this cannot, and will not, be. There is evidently a rapid and a mighty change in progress—ominous events crowding after each other, like clouds in a stormy sky. 'Tis in vain that the enemies of Ireland are gathering together like locusts: there is a vital sap in the new spirit, now budding forth, which they cannot destroy or injure. 'Tis in vain that the vilest press on earth vomits forth volume after volume, and sheet after sheet, of ribaldry and falsehood: 'tis in vain that a bigoted and blundering bishop lifts his feeble crosier against Catholicity in Ireland, or in

Canada : 'tis in vain that a stupid and fanatical Scotchman introduces into the House of Commons the cant of a puritan, the ferocity of an old covenanter. The time is passing away when such manœuvres would, with any effect, raise the war-whoop of the Orange faction. The captive hath outgrown his chains : the heart of Ireland is beating quick with life and vigour never yet felt ; her arm is strengthening with a new strength she was never conscious of : and, under the guidance of the great chief who has made her what she is, we hope to live so long as yet to see her—and most fervently do we pray that it may be after a bloodless struggle—in the language of her own dear bard

“Great, glorious and free,  
First flower of the earth, and first gem of the sea.”

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**ART. VII.—*Introduction to the Literature of Europe in the Fifteenth, Sixteenth and Seventeenth Centuries*, by HENRY HALLAM, F.R.A.S., Foreign Associate of the Academy of Moral and Political Sciences in the French Institute. London: 1839.**

THE very important nature of the above-named work, and the vast range of matter which it embraces, obliged us to divide our notice of it into at least two parts ;\* and in order to establish something which might approach to a logical division of the subject, we singled out as a point of separation, those important changes which resulted from the religious troubles of the sixteenth century, an event to which the ordinary language of history has given the name of the Protestant Reformation. We have already laid before the reader, in a few words, our opinion, as to the immediate influence of that event upon the progress of literature ; and in stating that it was highly *unfavourable*, we have merely repeated the sentiments of the author himself. But in asserting that the gradual development of the human intelligence was suddenly arrested by this event, we had no intention to imply that it was permanently arrested ; for such was by no means the case. The admirable plans of Divine Providence, as regards the moral world (we might even also have added those which regard the physical world), may be interrupted, but cannot be frustrated. Out of disorder itself, Almighty beneficence draws forth an

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\* *Ante*, p. 98.

element of progress, and thus accomplishes the same ends, by other means. When, then, in a certain sense of the word, the Protestant Reformation is stated to have been ultimately favourable to the progress of letters, this assertion is not wholly, perhaps, devoid of a certain appearance of plausibility. That this progress would have been greater, by other means, we entertain not the slightest doubt ; but it would be a fruitless loss of time to reason upon the influence of unknown contingencies. We shall remain, then, rigorously within the domain of facts, and in alluding to the grave inconvenience of those principles upon which the Reformation was based, as the opportunity presents itself of considering them in their practical consequences, we shall have ample opportunity of proving, that it was rather an apparent, than a real cause of progress. With regard to the efficiency of moral causes in general, when considered in their effects rather than in their own intrinsic value, we must at all times be particularly careful not to confound the "*post hoc*" and the "*propter hoc*;" no error is perhaps more common in the present day, both in moral and political science. This is one of the necessary consequences of an abuse of the experimental method of Lord Bacon, when applied to matters for which it was never destined ; to experiment we are no doubt indebted for most of the magnificent discoveries of modern times, in the physical sciences ; but we must not allow ourselves to be dazzled by success, for there are circumstances in which experiment can do nothing for us, but lead us into the most deplorable error. This is true not only as regards morals and metaphysics, but even as regards literature, considered as a theory, resting upon certain fixed principles.

Thus, to choose an example, the present state of literature in France may be regarded as the result of a series of experiments, in which all the long received axioms of good taste have been successively set at defiance ; and we may triumphantly appeal to this state of things as an undeniable proof of the danger which results from setting oneself above the ancient traditions of art. The only possible excuse which can be offered in palliation of the excesses of the modern French press, is, that it is stark, staring, raving mad. We say that this is the only one which *can* be offered ; and that we pretend to assume to ourselves the grave responsibility of offering such an excuse, because with the literary question is mixed up a much graver question of morals, the consideration of which would lead us too wide from our subject and at the same time expose us to make use of a studied severity of language, which might

wound the feelings of many. We shall therefore merely observe that the present school,\* at the head of which may be reckoned Victor Hugo and Madame Du Devant (Georges Sand), as prose writers, and Lamartine as a poet, is in all probability the last phase of the progression of that spirit, which we pointed at, in a preceding article, as the basis of Protestantism, and which may be regarded as the legitimate, we had almost said the necessary consequence, of the principle upon which that opinion reposes. Victor Hugo opened the career, and his prose works, as well as his dramatic pieces, may be regarded as an eloquent *protestation* against the received opinions upon the beautiful and its antithesis; for him was reserved the melancholy celebrity of establishing the sublimity of vice. Other authors, before his time, had allowed themselves to introduce into their works of imagination, certain details of evil, by way of contrast, as the painter heightens his effects of light by the depth of his shadow; but in the works of the celebrated founder of the *romantic school*, to pursue our metaphor, there is a total absence of light; his element, is the element of darkness. The literary *Protestantism* of Madame Dudevant has something more personal in it. Her early works are merely a continuous apology in favour of adultery; or in other words, a protestation against the antiquated prejudices, which have hitherto reigned upon the subject of the duties of the married state. It is not here the place, nor indeed would it be gallant, to enquire, how far particular circumstances may have influenced this lady in the establishment of her new theory. The voice of public fame, the newspapers and the solemn decisions of the courts of justice, have, however, forced upon us the knowledge of one deplorable fact, which is her separation from her husband, accompanied by circumstances of the most scandalous nature. Lamartine, the admirable poet, the early efforts of whose muse were exclusively devoted to the interests of that religion from which he has not even now professedly separated himself, has allowed himself to be carried away by a phrase, which, like many other words, used as the rallying point of a new opinion, is possessed of that convenient vagueness, which communicates to it a sort of unlimited elasticity. It may be said to mean anything, or to mean nothing, which will be found to be much the same thing in such cases. M. Lamartine has conceived a new form of the epic, which in his hands is to become neither more nor less than a "*poème humanitaire*." Now, as

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\* See "Dublin Review," vol. ix. p. 362.

the human nature has certainly many elements which bear witness of its profound moral degradation, vice and misery are thus brought within the poet's legitimate domain; unfortunately these subjects, and that violent and absorbing passion which naturally darkens the understanding, are the sole materials which he thinks necessary to employ. Love particularly, in its inferior forms, appears to constitute the poet's favourite theme. He can conceive no motive of action paramount to the voluptuous incitements of sensuality, and his elaborate descriptions of certain scenes must cover with a blush of indignation the most shameless cheek.

Such have been the momentary consequences of literary Protestantism in France. The inconveniences are manifest, but amidst the general disorder can we discover no element of progress? To assert the contrary would be to close our eyes upon an evident truth. It would perhaps be unfair to establish a comparison between the present state of literature in France and the more remote periods of her ancient glory, such as the age of Louis the Fourteenth, for instance; because we should thereby leave out of the calculation that long period of languor and decay which had succeeded it. The literary form which the present school overthrew, was the literature of the imperial period; without contestation the phase the most empty and the most vapid in the whole range of her literary history. The question therefore does not appear to be, whether the best prose writers have polished and improved the language of Bossuet and of Fenelon, (the affirmative of which many persons are prepared to maintain), but whether the present school has not rendered an important service to literature, in discarding the more recent and dull traditions of the empire? We think there can be no doubt, if we isolate the question of *form*, that the progress is unquestionable, both as regards prose and verse. The best prose writers of the present day (amongst whom must be included, in addition to those already mentioned, the unfortunate De Lamennais), have communicated to language a certain concentration and energy which are not to be met with in former writers; moreover, the introduction of new words, and of old words in an extended sense, however objectionable when carried to an excess, indicates a certain progression in the human mind. As far as poetry is concerned, without examining the very delicate questions of rhythm and metre, upon which as foreigners we plead our incompetence, we cannot take leave of the subject without alluding to the distinguishing characteris-

tic of the new school,—which is its admirable appreciation of the material world, and its profound sympathy with the mysteries of nature.

Were we to take a general view of the influence of the Protestant principle, or, in other words, of that unlimited spirit of enquiry which may be signalized as its distinguishing characteristic, we should without doubt discover similar inconveniences, and similar advantages, as regards general science, metaphysics, political economy, and even theology. Of course as regards this latter science, we allude only to the departments of criticism and philology, in which Protestant divines, notwithstanding certain inevitable prejudices, have rendered real service to divinity, as a science.

However, therefore, we may regret the religious convulsion of the sixteenth century, we are not prepared to assert that all its consequences were evil, any more than we are prepared to assert, that all its causes were futile. At that period there existed many most crying abuses, both in the Church and in the State; and had we existed in those days of peculation and disorder, it is hard to say how far that general indignation which appears at one moment to have taken possession of the public mind, might have carried us away; and how far we might have concurred in the adoption of those false measures, which, confounding questions of faith with those which related exclusively to ecclesiastical discipline and political institutions, led to a series of most important changes, the latter of which were perhaps far from the original intentions of those who were ultimately obliged to adopt them;—so true is it, that one false step necessarily leads to another.

We regret very much that the limits of the present article prevent our applying the above-mentioned principle to all the various interesting facts collected in the work before us. In order to establish something like a unity of conception in the following pages, we have been obliged to adopt some leading subject as our general matter; and although that circumstance will not prevent our promiscuous gleanings during a rapid progress through the three remaining volumes, we shall for the present principally direct the attention of our readers to what Mr. Hallam has himself termed, "*The arduous struggle between prescriptive obedience to the Church of Rome and rebellion against its authority.*" (vol. ii. p. 80.) We have in our preceding article set forth the very remarkable opinions of the author, as to the causes of the Reformation, and more particularly as to the instruments by which it was brought

about; we shall now proceed to examine his views as to its progress and its ultimate consequences.

At the very commencement of the second chapter of Vol. II, which is particularly devoted to the history of theological literature in Europe during the latter half of the sixteenth century, Mr. Hallam, in the following passage, establishes a remarkable reaction of the Catholic principle.

"This prodigious increase of the Protestant party in Europe after the middle of the century, did not continue more than a few years. It was checked and fell back, not quite so rapidly or so completely as it came on, but so as to leave the antagonist Church in perfect security. Though we must not tread closely on the ground of political history, nor discuss too minutely any revolutions of opinion which do not distinctly manifest themselves in literature, it seems not quite foreign to the general purpose of these volumes, or at least a pardonable digression, to dwell a little on this retrograde movement of Protestantism; a fact as deserving of explanation as the previous excitement of the Reformation itself, though from its more negative nature, it has not drawn so much of the attention of mankind. Those who behold the outbreaking of great revolutions in civil society or in religion, will not easily believe that the rush of waters can be stayed in its course, that a pause of indifference may come on, perhaps, very suddenly, or a reaction bring back nearly the same *prejudices* and *passions* as those which men had renounced. Yet this has occurred not very rarely, in the annals of mankind, and never on a larger scale than in the history of the Reformation."— vol. ii. p. 84.

The fact itself of the reaction of Catholicism, cannot for a moment be doubted by any one acquainted with the history of this period. When the first effervescence of enthusiasm had passed by; when the rude eloquence of those bold innovators who had disturbed the public peace had been silenced by death; and more particularly, when the followers of the new doctrines had discovered, that their effects in ameliorating the moral and political position of their votaries, had not at all kept pace with the magnificent promises of their apostles, they paused in their headlong course, and many of them rallied round the standard of that primitive Church, which, with its accustomed prudence and calm, had already entered on several great measures of reform, which a certain relaxation of ecclesiastical discipline and the exigency of the times required. We have looked in vain through the succeeding pages, for an explanation of the words *prejudices* and *passions*, the presence of which in the above extract excited our surprise; because Mr. Hallam is not at all in the habit of treating the traditions

of the Catholic Church as prejudices. As to the passions which had been renounced at the Reformation, and which a return to Catholic unity had again let loose upon the world, we avow that we are completely in the dark. We therefore beg leave most respectfully to enter our humble protestation, although we are convinced that the author meant nothing offensive to the Church ; for on a future occasion he uses the word prejudice, in a sense most honourable for those to whom this epithet is applied. Moreover, in detailing the causes of this reaction, Mr. Hallam pays a high though implicit tribute of admiration to the means by which it was brought about.

As a Protestant, we must allow him to run a tilt at Philip the Second, whose impolitic measures in the Low Countries have certainly laid him open to the severe animadversions of men of all opinions ; nor are we surprised to find *the Church of Rome* accused of adopting that line of conduct which formed the basis of his plan ; viz. *the unremitting, uncompromising policy of subduing, instead of making terms with its enemies.* How far this reproach is merited, we leave each one conscientiously to determine, after a due examination of the various historical documents which relate to the question. The Church may indeed very justly be charged with an uncompromising policy, as far as regards any transaction with her enemies, and that for the very best of reasons ; being according to the very principle of her constitution, the sole depository of divine truth, all compromise on matters of faith becomes impossible. With regard to any one of the isolated propositions which have been an object of discussion, it is either so—or not so—the Church affirms that such has been the doctrine universally taught since the time of the apostles ; her enemies join issue and deny : all compromise thus becomes impossible, for in making the smallest concession the Church signs her own condemnation—she falls into a logical absurdity, asserting in one breath that the same proposition is at once true and false. The real difference between the policy of the Church and that of the monarch above alluded to, is, that instead of attempting to *subdue* her enemies (taking that word in its natural sense), she attempts to convince them of their errors.

The author in seeking out the causes of this powerful reaction, principally dwells upon two ; the discipline of the clergy and the active influence of the order of St. Ignatius. We shall allow him to speak his own language on these two important topics ; and in doing so, we shall adduce new proofs, that although his ordinary perspicuity, which is generally ac-

accompanied by a spirit of stern independence, leads him frequently to hold up to contempt the inconsistencies and the iniquities of Protestantism, he is, however, far from having shaken off all the prejudices of a Protestant education. And we are content, in a certain point of view, that such is the case; because he thereby renders his testimony to the Catholic cause beyond the reach of suspicion. No one can suspect Mr. Hallam of Catholic tendencies; he has merely subscribed to the spirit of the age in which he lives,—a spirit common to several of the most eminent Protestant writers of the day, both in this country and in Germany, the principal characteristic of which consists in a more correct and impartial appreciation of facts, and a more liberal application of general principles. This remarkable progress of the public mind is, however, far from being complete, although common to both Catholics and Protestants; we still, on both sides, remain *men*, that is to say, to a certain extent the slaves of our prejudices.

"The reaction could not, however, have been effected by any efforts of the princes against so preponderating a majority as the Protestant Churches had obtained, if the principles that originally actuated them had retained their animating influence, or had not been opposed by more efficacious resistance. Every method was adopted to revive an attachment to ancient religion, insuperable by the love of novelty or the force of argument. A stricter discipline and subordination was introduced among the clergy; they were early trained in seminaries apart from the sentiments and habits, the vices (*and virtues!*) of the world. The monastic orders resumed their rigid observances. The Capuchins, not introduced into France before 1570, spread over the realm within a few years, and were most active in getting up processions, and all that we call foolery, but which is not the less stimulating to the multitude for its folly."—vol. ii. p. 86.

Whilst alluding to the same subject at a future page (p. 94), he readily acknowledges the prudence, firmness, and unity of purpose, that, for the most part, distinguished the court of Rome, the obedience of its hierarchy, &c.: the reader, however, in continuing the passage, will perceive that, as a good Protestant, Mr. Hallam has remembered to include amongst the causes of this reaction, the *severity of intolerant laws*, and the searching rigour of the Inquisition. Intolerant laws are, in our humble opinion, very bad things, but certainly by no means exclusively Catholic, as the pages of history most clearly demonstrate: as to the Holy Office, we have no mission to defend its excesses,—we therefore abandon them to their fate. Not-

withstanding, however, this outbreak of Protestantism, the author says in the very same page, speaking of the *Catholic faith*, “*It must be acknowledged that there was a principle of vitality in that religion independent of its external strength.*”

The other passage to which we alluded, and which relates to the Jesuits, is as follows.

“But far above all the rest, the Jesuits were the instruments of regaining France and Germany to the Church they served. And we are the more closely concerned with them here, that they are in this age among the links between religious opinion and literature. We have seen in the last chapter with what spirit they took the lead in polite letters and classical style; with what dexterity they made the brightest talents of the rising generation, which the Church had once dreaded and checked, her most willing and effective instruments. The whole course of liberal studies, however deeply grounded in erudition or embellished by eloquence, took one direction, one perpetual aim—the propagation of the Catholic faith. They availed themselves for this purpose of every resource which either human nature or prevalent opinion supplied. Did they find Latin versification highly prized?—their pupils wrote sacred poems. Did they observe the natural taste of mankind for dramatic representations, and the repute which that species of literature had obtained?—their walls resounded with sacred tragedies. Did they perceive an unjust prejudice against stipendiary instruction?—they gave it gratuitously. Their endowments left them in the decent poverty which their vows required, without the offensive mendicancy of the friars.”—vol. ii. p. 88.

This powerful reaction then, according to our author's own showing, was brought about by the most legitimate and the most honourable means. The reform of the clergy, the establishment of a new religious order, in harmony with the progress of the age in which it was founded; and finally, by the assembly of a general council. Nor were the predisposing causes exclusively *Catholic*, for Mr. Hallam particularly cites another, which he terms “*the bigotry of the Protestant Churches.*”

“We ought,” adds he, “to reckon among the principal causes of this change, those perpetual disputes, those irreconcileable animosities, that bigotry, above all, and persecuting spirit, which were exhibited in the Lutheran and Calvinistic Churches. Each began with a common principle—the necessity of an orthodox faith. But this orthodoxy meant evidently nothing more than their own belief, as opposed to that of their adversaries; a belief acknowledged to be *fallible*, yet maintained as *certain*, rejecting authority in one breath, and appealing to it in the next, and claiming to rest on sure

proofs of reason and Scripture, which their opponents were ready with just as much confidence to invalidate."—vol. ii. p. 101.

The whole secret of Protestantism is laid open in the above passage, which sets it before us as a historical monstrosity and as a logical absurdity. What are we to think of those men, who, having shaken all existing institutions by their pretended right of discussion, now attempt to silence all further argument, by cramming their own crude opinions down other men's throats, with a degree of brutality which excites the highest indignation in an unprejudiced mind. Boundless and interminable discussion is the inherent privilege of Protestantism, and woe be to the leader who attempts to entrench himself in anything like a fixed opinion. It is not here the place to establish the necessary relation which subsists between certainty and infallibility. It appears to us, however, a sort of truism, that there can be no such thing as *certainty* as long as we are liable to be *mistaken*. The thing in itself is so glaringly evident, that the very statement of a doubt must appear to the reader as something nearly akin to a dull joke. Yet as soon as we admit a tribunal which is beyond the reach of that capital inconvenience, we place infallibility somewhere; either in the individual reason or in some constituted body, which in that case is bound to make good its claims.

Mr. Hallam speaks at some length of the Council of Trent. In his judgment of that important feature of ecclesiastical history, it is not to be expected that the author should have triumphed over all the early prejudices of his Protestant education. The Catholic reader will, however, be justly surprised to find, that moderation and impartiality generally predominate. In several instances he is the courageous vindicator of that most calumniated assembly. We cannot deny ourselves the pleasure of laying before the reader a few observations which he has embodied in the form of a note. It is in this note that Mr. Hallam uses the word *prejudice* in the extraordinary sense to which we have above alluded.

"A strange notion has been started of late years in England, that the Council of Trent made important innovations in the previously established doctrine of the Western Church ; an hypothesis so paradoxical in respect to public opinion, and, it must be added, so prodigiously at variance with the known facts of ecclesiastical history, that we cannot but admire the facility with which it has been taken up. It will appear, by reading the accounts of the sessions of the council, either in Father Paul, or in any more favourable historian,

that even in certain points, such as justification, which had not been clearly laid down before, the Tridentine decrees were most conformable with the sense of the majority of those doctors who had obtained the highest reputation; and that upon what are more usually reckoned the distinctive characteristics of the Church of Rome, namely, transubstantiation, purgatory, and invocation of the Saints and the Virgin, they assert nothing but what has been so engrafted into the faith of this part of Europe, as to have been rejected by no one without suspicion or imputation of heresy. Perhaps Erasmus would not have acquiesced with goodwill in *all* the decrees of the council; but was Erasmus deemed orthodox? It is not impossible that the great hurry with which some controversies of considerable importance were dispatched in the last sessions, may have had as much to do with the short and vague phrases employed in respect to them, as the prudence I have attributed to the fathers; but the facts will remain the same on either supposition.

"No council ever contained so many persons of eminent learning and ability as that of Trent; nor is there ground for believing that any other ever investigated the questions before it with so much patience, acuteness, temper, and desire of truth. The early councils, unless they are greatly belied, would not bear comparison in these characteristics. Impartiality and freedom from prejudice no Protestant will attribute to the fathers of Trent; but where will he produce these qualities in an ecclesiastical synod? But it may be said that they had only one leading *prejudice* (!) *that of determining theological faith according to the tradition of the Catholic Church as handed down to their own age.* This one point of authority conceded, I am not aware that they can be proved to have decided wrong, or at least against all reasonable evidence. Let those who have imbibed a different opinion, ask themselves, whether they have read Sarpi through with any attention, especially as to those sessions of the Tridentine council which preceded its suspension in 1547."—vol. ii. p. 98.

No Catholic writer would make a more splendid eulogium of the Council of Trent. As for that particular species of prejudice which consists in the fixing of theological faith, by which Mr. Hallam evidently means the grand fundamental dogmas of revealed religion, according to the universal traditions of the Catholic Church, we are proud to say that we not only admire it, but that we are moreover prepared to justify it, as a philosophical necessity, since it is evidently the only possible means of arriving at that unity, which is the very essence of truth. Such was, according to our views, the particular mission of the Tridentine fathers, who were called together from all the Christian Churches to determine what was the particular tradition of each with regard to the matters at issue.

But already, in these early days of Protestantism, the author points out a new difficulty, which is as it were one of its natural consequences, namely, the rapid increase of Deism. The great variety of conflicting opinions which were stoutly maintained by men of uncontested talent, induced a certain class of thinkers to look for some general principle which might put an end to the dispute, by superseding the necessity of revealed religion. Publications of this nature are indeed rare in the seventeenth century, because the civil law visited with prompt and severe punishment those who attacked revealed religion, which, in some form or other, was universally regarded as the only solid basis of social order; but the opinion itself began to gain ground. Infidelity was the only method of cutting the Gordian knot; and many men whose minds were completely wearied out, by the attentive consideration of all those subtle distinctions which theological disputes necessarily involve, caught with avidity at any proposition which afforded a pretext of repose; some from a natural indolence of the mind, others in order to pursue at their ease, those seductive pleasures which the austere morality of the Christian religion condemns.

We could have wished to have followed the Protestant principle of *unlimited enquiry*, in its influence upon speculative, and moral and political philosophy, which form the subjects of two separate chapters in the present volume, inasmuch as those matters are most intimately connected with religion, but the very narrow limits of the present article render it impossible. We find ourselves already condemned to condense our ideas in a way which, we fear, must frequently diminish their perspicacity. We therefore abandon to the reader the task of following that rapid progression of scepticism which produced the professed atheism of Jordano Bruno, the Pyrrhonism of Sanchez, and the brilliant epigrammatic style of Montaigne. Mr. Hallam dwells at some length upon the writings and character of this latter author, whose opinions appear to have exercised an extraordinary degree of influence, not only over the literature and opinions of his own times, but more particularly on those of the succeeding century. The first edition of his Essays appeared at Bordeaux in 1580. They constitute an important epoch in literature, and in the history of philosophical opinions; not, as the author very justly remarks, on account of their real importance, or the novel truths which they contain, but rather from the influence

which they exercised, not only in France, but throughout Europe. They were, to use his own words,—

“The first *proratio ad populum*, the first appeal from the porch and the academy, to the haunts of busy and idle men ; the first book that taught the unlearned reader to observe and reflect for himself on questions of moral philosophy. In an age when every topic of this nature was treated systematically, and in a didactic form, he broke out without connexion of chapters, with all the digressions that levity and garrulous egotism could suggest, with a very delightful, but, at the same time, most unusual rapidity of transition from seriousness to gaiety.”—vol. ii. p. 169.

What Luther had already done for religion, Montaigne undertook to do for philosophy, namely, to reduce its most subtle truths within the popular domain. In Germany, every cobbler and every tinker considered himself competent to decide those important questions which had many of them perplexed the most learned for centuries ; in France, every private gentleman, educated or uneducated, was now furnished with a system of serio-comic philosophy, which if it failed to extend the domain of his intelligence, flattered his vanity, and enabled him to laugh at things he did not understand. The writings of Montaigne contain passages for every taste ; there is in them a certain appearance of practical common-sense, accompanied not unfrequently with a sententiousness of style, which is particularly calculated to seduce the understanding. He appears to us a profound observer of men and things, and as one who rises above the prejudices of the age in which he lived. Thus many who had never reflected upon the real basis of philosophical opinion, adopted his book as a sort of *vade mecum*, thinking gaily to traverse the cruel vicissitudes of this nether world, by laughing at those who affected to be wiser than themselves. Notwithstanding the above remarks on the tendency of Montaigne as a writer, we are far from accusing him of a formal intention of attacking revealed religion ; his Pyrrhonism was rather the result of a certain indifference of humour, and of a natural propensity to doubt. Instead of seeking the unity of the moral law there where alone it is to be found, he bewildered himself in comparing the various customs of different nations, in order to fix it upon some universal instinct, or to derive it from the necessary deductions of common reason.

With regard to moral philosophy, in its more special application to political institutions, we find several of the leading men of this period, amongst whom may be cited Hooker (who

was certainly a profound thinker), laying down those principles which have led to the questionable doctrine of the supremacy of the people. The theory of Hooker became the basis of Locke's celebrated *Essay on Government*, which in the hands of more recent commentators, has become a permanent source of social disorder, as calling in doubt the legitimacy of all power which cannot produce a certificate of popular consent; a thing in itself physically impossible.

We must, for the reason above alleged, pass over in silence the four remaining chapters of this volume, which complete the general views of the history of literature during the latter half of the sixteenth century—the very titles of which are sufficient to strike the critic with consternation. Such is that of chapter five, the history of poetry (throughout Europe); chapter six, the history of dramatic literature; the two remaining chapters being devoted to polite literature (in prose), and the history of the physical sciences, and of miscellaneous literature. The reader will here find something more than a barren nomenclature of contemporary writers—the author communicating the fruit of his extensive reading in the form of analytical criticisms of the principal works which he passes in review. This general notice of the most esteemed authors of this period, interspersed with occasional criticisms of works, the reputation of which, from fortuitous circumstances, has far surpassed their merits, constitutes a most valuable guide for the young scholar, and will spare him many of those tedious hours which are passed in wading through the dull columns of certain massive folios, where a little science is lost in a deluge of words.

The third volume opens the seventeenth century, during which many of the germs of the various conflicting principles which characterized that which preceded it, were brought to maturity. On the one hand, the decisions of the Council of Trent had for ever set at rest those angry discussions which divided men of various opinions, at least as far as regards the persons who remained within the pale of Catholic unity. The judicious reforms introduced by competent authority into the discipline of the Church, accompanied by the establishment of a new religious order, the indomitable and uncompromising enemy of heresy in all its Protean forms, had, as it were, instilled a new life throughout the whole. On the other hand, the Protestant party, tired out in the vain attempt to arrive at religious unity by means of discussions, which had for their sole basis the revealed word of God as contained in the Scrip-

tures, began to call into their aid the authority of tradition, under certain restrictions. Religious controversy, according to the expression of our author, became less reasoning, less scriptural, less general and popular, but far more *patristic*, (vol. iii. p. 50), that is to say, appealing to the testimonies of the fathers. The more enlightened advocates of Protestant opinions, saw the fatal consequences which were resulting from the exclusive adoption of the Scripture test, the Scriptures in the vulgar tongue being in the hands of every one. They, therefore, hoped to stem the current of popular controversy, by the admission of the authority of certain of the early fathers, both of the Greek and of the Latin Church, thereby creating a sort of controversial aristocracy, whilst at the same time they appeared to be carrying the war into the very camp of the Catholic theologians. Some amongst them were no doubt guided by a real respect for those learned and pious writers ; but so long as they persisted in rejecting the just influence of a living authority, this modification of the forms of controversy, was only calculated to reduce it within a narrower limit ; each writer choosing those passages which appeared to favour his own opinions, without paying any attention to the context, or the general character of the author. It cannot, however, be denied, that this change was on the whole highly favourable to Catholicity. The theologians of the Church had now to do with men who admitted the value of human learning, and the advantage of certain regular forms of discussion ; the consequence was, that many of the most learned members of the Protestant party were convinced of the impossibility of maintaining their opinions by fair argument, and accordingly, like honest men, abandoned them. Others, amongst whom were two of the greatest men of their day, Grotius and Casaubon, if not exactly convinced, were at least so far embarrassed by the arguments of their adversaries, that they can no longer be termed *Protestants*, unless by a forced interpretation of that word ; for, from protesting against the authority of the Church, they were led to *protest*, that it was wholly impossible to reconcile the tenets of the *Reformed* religion with the writings of the fathers. Mr. Hallam, in speaking of the latter, introduces, in the form of a note, some curious facts, which he comments upon according to his own particular opinions ; the facts are nevertheless there, and the very words of Casaubon himself ; amongst others, those which were written to an eminent Protestant friend, in speaking of Cardinal Perron, himself a convert, and a man of great learning. He writes :

"His arguments, which I am unable to answer, have been to me the cause of many scruples. I am sorry to make such an avowal, at which I blush. The door by which I escape is this: I cannot answer your arguments, but I will consider them." Such of our readers as may wish to see the original French, which Mr. Hallam has not translated, will find it at page 54. Casaubon was one of the umpires in the celebrated public discussion, which took place in the presence of Henry the Fourth, between Du Plessis Mornay, and Perron, in which the Protestant champion was most shamefully worsted. We attach, we avow, very little importance to this fact, as a proof of the truth of Catholic doctrines; being the professed enemies of all such conflicts, in which an unskilful combatant brings disgrace upon a good cause, allowing the honours of the day to be carried off not unfrequently by the force of his antagonist's lungs. We merely allude to the circumstance, in order to prove, that in the seclusion of the cabinet, Casaubon was still unable to answer the arguments which had perplexed his friend. The gradual progression of the opinions of Grotius, towards Catholic truth, is set forth in a very long note, in which are embodied a series of extracts from his writings, and a considerable number of references to other passages not cited. Mr. Hallam avows, that he was wholly averse to the Reformation, (page 61), and that, *until he moved on further*, he was a great admirer of the Anglican Church, which had preserved certain fragments of those ancient forms, which the other Protestant Churches had allowed to perish; such as episcopacy, and the two sacraments of Baptism and the Lord's Supper. Whilst at Paris, where he passed most of his latter years, as ambassador from the court of Sweden, he thought it a matter of boast that he did not live as a Protestant; and the Huguenot ministers of Charenton, having requested to have an interview with him, he declined it. There is one short passage in this note, which, for several reasons, we desire to give in its original form. In speaking of the long-cherished design of Grotius to effect an union of all the Protestant Churches the author observes:

"But he could not be long in perceiving that this union of Protestant Churches was impossible, from the very independence of their original constitution. He saw that there could be no practicable reunion except with Rome itself, nor that except on an acknowledgment of her superiority. From the year 1640 his letters are full of sanguine hopes that this delusive vision would be realised. He still expected some concession on the other side; but, as usual,

would have lowered his terms according to the pertinacity of his adversaries, if indeed they were still to be called his adversaries. He now published his famous annotations on *Cassander*, and the other tracts, mentioned in the text, to which they gave rise. In these he defends almost everything we deem popery, such as transubstantiation (*Opera Theologica*, iv. 619), stooping to all the nonsensical evasions of a spiritual mutation of substance and the like; the authority of the pope (p. 642), the celibacy of the clergy (p. 645), the communion in one kind (*ibid.*), and in fact is less a Protestant than *Cassander*. In his epistles he declares himself positively in favour of purgatory, as at least a probable doctrine. (p. 930)." —vol. iii. p. 60.

It is the opinion of the author, an opinion which we think must be adopted by every one who attentively considers the acts and writings of Grotius, that he would have publicly submitted to that authority, the necessity of which he had so frequently asserted, had he not been prevented by an untimely death. He died whilst travelling in a Protestant country, deprived of that aid of which he had so long neglected to avail himself; and his unexpected death is a solemn lesson to all those who neglect to carry out into practice those principles which have triumphed over the prejudices of their early education.

These were by no means isolated examples of the return of public opinion towards Catholicism at this period, particularly amongst men of high standing in the learned world; the Church of England itself, as a body, has frequently been accused of that tendency. It is certain that most of her eminent divines at the commencement of the seventeenth century, belonged to what Mr. Hallam terms the *patristic* school; and if reasoning alone could ever lead men to truth in matters of faith, from the premises adopted, the Anglican Church must have logically returned into the fold of Catholic unity. But what took place at that period, as well as what is taking place at the present moment in one of our universities, proves to the attentive observer, that certain errors having once taken possession of the mind, no series of arguments, however unobjectionable, can triumph over the *will*, however they may convince the *understanding*. In fact, Christianity would no longer be Christianity, if it could be established upon any other basis than humility, and that teachableness of spirit which distinguished its earliest professors. In the important process of the research of religious truth, men generally persist in making an exclusive use of the understanding instead of employing the heart, notwithstanding the express assertion of the great

Doctor of the Gentiles (who was both a learned man and a philosopher) : “*that with the heart men believe unto righteousness.*”

Before we take leave of the subject of those ineffectual attempts which were made both by Grotius and by Casaubon, to re-establish the unity of all the Churches, we beg leave to protest against the author’s very illiberal interpretation of both their acts and writings, as respects that important object. It is impossible that such men, who had looked deeply into the nature of things, would have ever contented themselves with an exterior union, based upon that despicable give-and-take system, which has lately presided over certain arrangements between the Protestant communions of Prussia. Grotius was certainly for leaving the utmost latitude to private opinions, but we have no right to conclude, that he would have left to such opinions a latitude inconsistent with truth. Such, indeed, is the principle which has ever guided men of liberal minds, who appreciate the almost infinite variety of the human mind; no two men, perhaps, taking exactly the same view of any given subject. Real unity, like belief, is an affair of the heart, rather than of the head. The Church herself, notwithstanding her special mission of preserving in its pristine purity that faith which was delivered to the apostles, enters into the same spirit, and only exerts her repressive authority, when private opinions, by a series of particular definitions, place truth itself in jeopardy, and by their pertinacity disturb the general peace; an example of which we shall shortly have occasion to allude to in the rise and progress of Jansenism.

Mr. Hallam gives us rather a repulsive sketch of the *High Church party* (page 70), as compared with the more convenient elasticity of principles, which he attributes to Grotius and some of his contemporaries. He considers, however, their general opinions as but slightly different. Both Laud and Andrews, for instance, maintained the doctrine of the real presence, and many other writers of this period show a decided tendency towards the ancient order of things, on questions relating to Church discipline, and to the correction of the Liturgy, as also with regard to episcopacy and the apostolic succession.

But as the history of religious opinions, as of all opinions in general, both political as well as philosophical, offers an irregular succession of action and reaction, we must be prepared for the rise of a new class of writers, who were destined to stem this increasing current, which was hurrying men back to Catholic unity. How far this succession of hostile causes is

to be attributed to the conflict of those opposite principles of good and evil which preside over human actions, we shall not stop to examine; we think, however, that any theory in which those conflicting principles which constantly solicit the human will, should be left out of the question, cannot fail to lead us far from the truth. That in the present order of things there are tares mixed with the wheat, no one can deny; and the highest authority assures us, "*that an enemy hath done this.*" Why upon certain occasions these noxious weeds spring up with increased exuberance, is not for us to determine; it is sufficient to indicate the fact, without stopping to seek for the law upon which it depends.

In the year 1628, Daillé, a French Protestant, opened a most violent attack upon the authority of the fathers, in a treaty, *ex professo*, which was to teach the Christian world the real use of their writings. The object of this work may perhaps be discovered in the paragraph by which it was introduced to the attention of the reader. "It was justly alarming," says Mr. Hallam, "to sincere Protestants, that so many brilliant ornaments of their party,\* should either desert to the hostile side, or do their own so much injury by taking up *untenable ground.*" The Protestant party were evidently beaten out of the field, by the close argument and by the erudition of their adversaries, the moment they admitted the authority of the fathers; yet, on the other hand, the absurdity of wholly denying the personal influence of those holy and learned men who were the glory of the primitive Church, was too palpable to be overlooked by any, but such as were blinded by prejudice and passion. Nevertheless, in the eyes of Daillé and his followers, the danger was too imminent to admit of a moment's delay. "Nothing," continues Mr. Hallam (as it appears to us, in a spirit of the most biting irony), "nothing, it appeared to reflecting men, could be trusted to the argument from antiquity; whatever was gained in the controversy on a few points, was lost upon those of the first importance." The whole weight of antiquity was against that spirit of innovation which had lately broke forth in the Church! Its partizans, therefore, convinced, moreover, of the endless disorders, both civil and religious, to which it had given rise, were then at length prepared to submit, by a disavowal of their errors? Not

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\* In a former part of his work (p. 45) when speaking of the conversion of Perron, we find the following remarkable words, "He had been educated as a Protestant, but, like half the learned of that religion, went over, from some motive or other, to the victorious side."

in the least ; “the only *secure*” course, continues our sarcastic author, “was to overshadow the tribunal by which they were condemned.”

This Dallié accordingly undertook to do in the elaborate work to which we have alluded. In England he was shortly followed by Chillingworth and Hales, by whose efforts we were brought back to the very point from which we had started in the happy days of Luther ; and every man, with his bible in his hand, was admitted as the paramount authority from which there was no appeal. The arrant nonsense which Chillingworth upon this occasion employs as argument, is an additional proof (if indeed any such proof were wanting), that men of considerable intellect and of very extensive acquirements, when they once lose sight of the principles of common-sense, are hurried forward from folly to folly in endless succession. Whilst on the one hand he formally advocates the doctrine of the supremacy of the individual reason in matters of faith, leaving every man to put his own interpretation upon these various passages of holy writ which have given rise to interminable discussion, amongst such as reject the intervention of a living authority ; on the other, he indulges a sort of visionary hope of establishing a sort of worship which might satisfy the various exigencies of all parties : or in his own words, “such an ordering of the public service of God, that all who believe the Scripture and live according to it, might, without scruple or hypocrisy, or protestation, join in it.” Just as if all the various sects which had arisen out of the religious troubles of the sixteenth century, did not, each and every one of them, believe the Scripture and live according to it, to the best of their knowledge ! In other passages he lays down principles which render any form of public worship impossible, unless we are prepared to give that name to the reading aloud of the Scriptures, without comment ; since he inveighs most loudly against those who presume to put a *particular* sense upon the *general* words of God ; *as if one could speak of the things of God better than in the words of God !* “Take away,” continues he, “this persecuting, burning, cursing, damning of men for not subscribing the words of men as the words of God ; require of Christians only to believe Christ, and to call no man master but him only,” and much other stuff in the same strain, turning continually in one vicious circle, in which he begins by supposing as proved the very matter at issue, namely, what is the real doctrine of Christ, and

what is the real meaning of that written word which he has left us for our guide.

Such was the style of argument employed by the great champions of Protestantism at this period, Hales following closely the footsteps of Chillingworth, but as is usual in such cases, out-heroding Herod, upon the very delicate question of Church authority, in his tract on schism.

It is not therefore to be wondered at that the doctrines of such writers should have prepared that most extraordinary episode in the history of religious extravagance, the crusade of the Puritans against all authority, both religious and civil. We beg upon the present occasion to be allowed to separate the religious question from the political one. How far the illegal and arbitrary proceedings of Charles the First may have justified that opposition which led to so unhappy an end, we shall not attempt to examine ; certain it is that in its progress, it overstepped the limits both of law and of justice, and there can be no doubt that the bloody tragedy of the King's death, arose out of a rigid application of the Protestant principle of the *permanent supremacy of the people*.

But puritanism considered as a comico-religious extravaganza, is certainly the richest thing in point of humour which is to be found in the annals of human folly. Those raw-boned lank-visaged men, of whom *Hudibras* has immortalized the type, preaching the reign of the saints and the holy league and covenant, in sermons which lasted for hours, and which were divided into a hundred and fifty heads, throw completely into the shade the most brilliant efforts of modern Methodism. We have ourselves had the pleasure of hearing an itinerant preacher of that society, hold forth at length and with considerable energy against the iniquities of the scarlet (abomination) of Babylon (the Church of Rome), naming her by a still more unseemly name : yet this is not to be compared to the stentorian efforts of the doughty covenanter, armed cap-a-pie, surrounded by a set of hard-featured men, each of whom had a sword by his side, ready to be drawn in support of the nicest abstractions. An Episcopalian presumed to doubt of the efficacy of faith without works ; there were a hundred ruffians ready to cut his throat. During this fever of religious enthusiasm, the wily used the simple as the stepping-stones of their ambition, and he who rose to the supreme power of the state, by means of this party, was the first to laugh at their uncouth jargon, when he felt himself firmly seated on the throne of the man he had superseded. 'The sudden return to

arbitrary measures after so severe a lesson, proves that tyranny is the necessary consequence of anarchy. Charles refused to assemble the Parliament ! Cromwell, when assembled, kicked them down stairs and put the key of the house in his pocket ! So much for the progress of constitutional liberty, when all means are considered good to attain a certain end.

There can however be no doubt that puritanism, like many other of the endless sects of Protestantism, took its rise from the ill-directed efforts of pious, well-meaning men, to return to what they considered as the primitive simplicity of Christian institutions ; so true is it that when we once lose sight of that living authority which Christ himself established for the wisest purposes, there is no saying how far we may be led away in the labyrinth of error.

The question of Church authority, and the necessity of primitive tradition, were not the only questions which agitated the learned world at this period. The famous dispute about grace and free-will, which one would have thought for ever settled by the treatise of St. Augustine, broke out with fresh intensity and with exactly the same exaggeration, which characterised it in his day. Men taking a partial view of any subject, are necessarily led to state only one-half of the question ; and upon these false premises, they build a system equally false, because it is exclusive. Placed at the extremities of the two conflicting opinions, they become exceedingly angry with each other, and in the heat of their dispute never think of looking for truth, where alone it is to be found, in the golden mean. We are surprised to find Mr. Hallam repeating a puerile accusation, which has been occasionally brought against the Church of Rome, we presume for the sake of the joke ; namely, that of condemning both sides. We are not aware that such in fact has ever been the case, but in many disputes, for the reasons above alluded to, both sides have richly deserved it. One side was very deservedly condemned for destroying the doctrine of human liberty, without which, moral responsibility is a mere farce ; while the other was silenced, and if it had not desisted might very properly have been condemned also, for attributing to the free-will an efficacy, which in its present degraded state, it no longer possesses. St. Augustin clearly sums up the real state of the question, by asserting, that man can do nothing for his own salvation without the aid of divine grace ; and on the other hand, that God can do nothing for the same end, without man's consent and co-operation. “ *He has created you, says he,*

*without your consent, but he cannot save you without it.*" The dispute, we had almost said the brawl, about grace and free-will, is one of words rather than of things : to render it more perplexing, the disputants have mixed up with it the metaphysical question of divine prescience, in its relations with individual liberty ; forming a sort of logical dilemma which, we acknowledge, is well calculated to perplex the reason.

Another question which led the Protestant divines into considerable perplexities, and even into the most palpable contradictions, was the definition of that controlling power without which it was generally admitted not only no Church, but no state, could subsist. Such men as Hooker, Grotius, and Jeremy Taylor, saw at once the impossibility of allowing the public mind to be continually agitated by the renewed discussion of those theories which called in question the fundamental principles of all law, both social and religious, the authenticity of Christianity and the very existence of the Deity. But where was this moderating power to be placed, so as to leave intact the new doctrine of free inquiry ? Under the reign of Catholicity there were authorised tribunals which indicated to the civil power those doctrines which were opposed to civil order and to religious truth ; leaving, however, to polemical discussion an arena sufficiently vast, which was regarded as neutral ground, as the history of religious opinion amply testifies. The very eminent men above-mentioned, as they could not, being Protestants, admit the supremacy of any human tribunal, are necessarily conducted to the dangerous expedient of leaving the civil power in possession not only of the power of repressing, but also of the much more delicate functions of judging and of condemning ; an absurdity which no severity of language can too forcibly reprobate. Jeremy Taylor, in his celebrated book on the liberty of prophesying, is extremely liberal so long as the particular interests of the Church to which he belonged were not at stake ; but when he comes to examine what sects ought to be tolerated, and to what extent, he is decidedly an advocate for putting an end to the prophesying of all the prophets who do not prophesy according to the particular doctrines of the Church of which he was a member (v. chap. 17). He has, moreover, a chapter on the toleration of Popery, which may be considered as liberal, for the age in which he lived. Taylor was, on the whole, a very liberal-minded man, though his liberality appears to us to savour of indifference and of doubt. Chapter 17 evidently came from his head rather than from his heart ; as a church-

man he could not possibly admit a state of things in which every man was permitted to set up a public opposition to the state establishment ; a result, however, which the progress of modern improvement has realized, but not without undermining its very foundations.

A subject more strictly within the limits of literary criticism, is the pulpit eloquence of this period. This particular species of literature, according to Mr. Hallam, dates only from the Reformation ; the general character of that which preceded this epoch, being little better than *buffoonery*. This is indeed rather sweeping work. We do not presume to deny that the learned author may in the course of his extensive reading, have met with more than one collection of sermons which, like those of Maillard and Rollin (of whom, however, he says nothing), abound with certain familiar allusions, which the habits of the times alone can justify. It would, however, lead us far from the truth were we to judge those productions with our present notions, and it is, moreover, more than probable that these sermons were never preached, in the form in which they now exist : we deny, however, that such was ever the general character of the Catholic pulpit, at any period. These exceptions to its usual gravity and elevated style of thought, are the result of the particular turn of mind of the preacher, who has permitted his own individuality to modify his subject. Were we disposed to seek out examples of the same defect amongst Protestant divines, we need not exercise much research ; the great parent of Protestantism would afford us buffoonery enough, heightened by its usual accompaniment, the lowest vulgarity.

The effects, however, of the Reformation on pulpit eloquence must have been but slow in their operation, for England is the only country which produced a series of eminent preachers during the first half of the seventeenth century, many of whom, according to our author, merit distinction : but from this crowd of eminent Protestant divines who have illustrated this period, our author selects for citation and especial criticism two only—Jeremy Taylor and Donne. Of the former we have already spoken sufficiently ; of the latter the particular criticism appears but in feeble harmony with the general praise ; and what is our author's measure of that praise ? He admits with regard to his sermons, that out of the two volumes in folio of which they consist, some favourable specimens may be supplied ; but "in their general character, they will not appear," continues he, "much worthy of being rescued from oblivion." The

following passage was for us a most unexpected falling off in the praise of a writer who had merited the honour of being cited amongst the principal ornaments of the Protestant pulpit.

"The subtlety of Donne, and his fondness for such inconclusive reasoning as a subtle disputant is apt to fall into, runs through all of these sermons at which I have looked. His learning he seems to have perverted in order to cull every impertinence of the fathers and schoolmen, their remote analogies, their strained allegories, their technical distinctions; and to these he has added much of a similar kind from his own fanciful understanding."—vol. iii. p. 124.

Donne was, however, notwithstanding his popish propensities to dulness and verbosity, one of the most redoubtable adversaries of Rome, being in the judgment of the author, particularly, or rather *conspicuously*, learned in that controversy; "and though he talks with great respect of antiquity," continues Mr. Hallam, "is not induced by it, like some of his Anglican contemporaries, to make any concession to the adversary;"—a circumstance which proves beyond all doubt that he was either extremely clever or extremely obtuse. We leave it, then, to his admirers to determine, whether he misunderstood the writings of the fathers, or whether he possessed sufficient ingenuity to pervert their meaning, and to employ them in his own cause. The moral value of this clever sophist is determined by a circumstance which furnishes the subject of a short note. It appears, that at his death he left amongst his papers the manuscript of a book, entitled *Biathanatos*, and which is in fact a vindication of *suicide*; a subject which could not be appropriately introduced into either of the two bulky folios to which we have alluded. As this is one of the very rare occasions on which our author allows himself to be facetious, the reader will permit us to use his own words in pronouncing a judgment on this posthumous essay.

"It is a very dull and pedantic performance, without the ingenuity and acuteness of paradox: distinctions, objections, and quotations from the rabble of bad authors whom he used to read fill up the whole of it. It is impossible to find a less clear statement of argument on either side. No one would be induced to kill himself by reading such a book, unless he were threatened with another volume."—vol. iii. p. 125.

His judgment on the whole is scarcely more favourable to the other person selected, as he accuses Taylor of making up his sermons from the shreds and patches of ancient authors

(p. 125), and in the following page we read of the “*circuit of his pleonastic language*,” of his “*sentences of endless length*,” not altogether *unmusical*, but what is still much more grave, in the writings of a scholar the principal ornament of the age in which he lived, *not always reducible to grammar!* Mr. Hallam however persists, “he is still the greatest ornament of the English pulpit up to the middle of the seventeenth century,” which, after all he has said, is but small praise.

Such being then the state of the question, according to the admission of a learned and intelligent Protestant, who must be admitted to be a competent judge of the matter, we may legitimately question the influence of the Protestant Reformation upon pulpit eloquence as an element of progress; and the more particularly so, as those who, at a later period, rose to the highest excellence in pulpit eloquence were Catholics. The eminent superiority of Bossuet, Massillon, Bourdaloue, Fléchier, and other eminent theologians of the same age—a superiority which has never been disputed by any one—proves, that in order to touch the human heart, and to triumph over the prejudices of vice, it is by no means necessary to quit the ancient faith.

Mr. Hallam completes his notice of the history of the theological literature of this period by a few succinct remarks upon the principal ascetic writers both Catholic and Protestant. He avows that the bare nomenclature of all the works of Catholic authors belonging to this class, would swell the pages of his book beyond its due limits, even if he confined himself to those which, by their popularity and their merit, had a right to be mentioned in a regular history of theological literature. The few words which he says with regard to St. Francis de Sales and St. Teresa prove that he did well to pass the matter over in silence. In fact, the *literary* merit of works of this nature is a question of secondary importance, in which the real merit is apt to be lost sight of. Writings like those of St. Teresa are addressed to the favoured few; their pages are sealed for those who have not prepared their hearts by a course of discipline which has severed them for ever from the spirit and maxims of the world.

Our regret at not being able to follow our author through the interesting pages of the ensuing chapter, which is devoted to the history of speculative philosophy, is great; the more particularly so, as the progress of philosophical opinion during the first half of the seventeenth century, would have afforded us an admirable opportunity of watching the operation of that

spirit of enquiry, the abuse of which constitutes the principal characteristic of Protestantism. This chapter, then, would have afforded us the means of elucidating both the good and the evil which resulted from the religious convulsions of the preceding century, as far as regards speculative science. We should have had an opportunity of paying a just tribute of admiration to the important labours of Lord Bacon, of whose philosophy Mr. Hallam speaks at considerable length; and we should at the same time have been able to point out the fatal influence of the method which he adopted, when applied to matters for which it was never destined. We should, we doubt not, in that philosophy, have discovered the origin of a desire which was daily gaining strength, and which Descartes first attempted to satisfy, namely, the edification of the whole superstructure of human knowledge upon the sole basis of induction. Descartes was born a mathematician, but his remarkable aptitude for the physical sciences, in which the method of Lord Bacon is alone useful, led him to follow to a certain extent his illustrious predecessor. Descartes, we are convinced, never for a moment indulged the slightest intention of undermining the truth of divine revelation. His sole intention was to raise a collateral superstructure, the chief corner-stone of which was the human reason; not reflecting, we should rather say not sufficiently cautioning his readers, that that which is finite cannot be, in fact, separated from that which is infinite; and that as created substance in the material world, depends upon that uncreated substance in which the primitive forms of all things subsist, so the human reason is necessarily dependent upon the divine reason in the very nature of things; revelation, written and traditional, being as necessary to the intelligence as light is to the eye. Various experiments have placed beyond the reach of doubt a fact which confirms this important truth; man, notwithstanding his admirable organization, when brought up apart from his kind, remains upon a level with the brute; so far from having any idea of truth in its absolute form, he is deprived even of those elementary notions which *language* can alone develope. The isolated man possesses no language; for language, which is the life of the soul, must be transmitted, like physical life, by some one possessed both of the will and of the power to do so, and when once transmitted, the inherent vivifying power of which it is possessed animates the human soul, enlightens it and conducts it to truth. It is therefore in this sense that the divine reason (the Logos) in the Christian

philosophy is termed indifferently the *way*, the *truth*, and the *life*; the *light* which enlightens every man coming into the world.

It is therefore easily understood how the philosophical doubts of Descartes, in the hands of a close reasoner like Hobbes, who, being a Protestant, admitted neither the necessity of tradition, nor the authority of that tribunal which alone can decide in matters of faith, led by a short and direct road to atheism. The powerful influence of the material philosophy of Hobbes upon later times is not sufficiently attended to. This tendency may be traced upwards to Lord Bacon himself, though perhaps without any direct fault of his. Hobbes, it is well known, was employed by Lord Bacon to translate certain portions of his works into Latin. This alone would be sufficient to account for his exclusive admiration of the inductive process. In tracing the tendency of his philosophy, which may be qualified as a compound of *materialism* and *scepticism*, through its various phases down to our own time, we would not lose sight of the circumstance that Locke, who was not a man of extensive reading, has evidently studied Hobbes; and Locke, who, as well as Lord Bacon and Descartes, professed the highest veneration for revealed truth, is the very man who furnished the arms by which the small philosophers of the last century assaulted the ancient fabric of social and religious order, and by which they succeeded, in a neighbouring country, in sweeping away in one common destruction all the institutions both of the Church and of the State.

Chapter iv. of this volume, which treats of the history of moral and political philosophy and of jurisprudence, is most intimately connected with that which precedes it. The necessity to which we submit in passing it by in silence, is therefore accompanied by a similar regret. We merely allude to it for the purpose of offering an observation upon the matter which stands at its head, *casuistry* and the *Jesuits*, in their relation to the important institution of Confession. We use the word institution, because we cannot of course expect Mr. Hallam to enter into the virtue of confession as a sacrament. Our author, then, even with his necessarily limited views, admits that the vital discipline of the Church, and the power of the priesthood, are both dependent upon it. We are aware that this latter word *power*, as applied to priests, is frequently used as the synonyme of tyranny by certain writers, but we acquit Mr. Hallam of all such intention. "In the confessional, continues he, most of the good (and evil, of course) which is to be

attributed to the ministers of religion, has its source." And he thus concludes : " No Church that has relinquished this prerogative can ever establish a permanent dominion over mankind ; none that retains it in effective use can lose the hope or the prospect of being their ruler." We will not turn this assertion into a syllogism, and conclude, that, no Church without the institution of confession being able to exercise a permanent influence, the Church of England, having neglected that institution, is of course incapable of such influence ; nor will we follow it out into its corollary : that the Church of Rome having retained it in effective use, is destined to re-establish her authority throughout the world ; such, however (implicitly, at least), is evidently the opinion of the author.

In speaking of such matters, it was not to be expected that Mr. Hallam, who after all is a zealous Protestant, and who quotes Bayle, should have steered clear of that celebrated common-place charge against the Jesuits, which accuses them of frittering down the stern precepts of the Christian morality, to suit the exigencies of worldly man. It is true that he rises above the vulgarity of insinuating that they did so from any feeling of private interest ; their sole end, he nobly avows, was the good of mankind and the glory of the Catholic Church, which was, according to their views, one and the same thing. In this cause, he adds, they embraced a life of toil and of danger ; for this they were dauntless in death and in torture. Men who are ever ready to seal their doctrines with their blood, merit at least the praise of sincerity. But after all, we are in justice bound to admit, that certain casuists of this order have maintained propositions, which, not unnaturally gave rise to discussions and differences of opinion. This is not the place for examining those differences ; but at all events the author is not justified in charging upon the whole body the opinions of some only of its members. As far as they are concerned, as a body, they have ever been eminently orthodox ; their theology has indeed been generally imbued with that spirit of mercy which particularly characterized the founder of our holy religion, who himself tells us that he came not to call the righteous, but sinners to repentance. This indefatigable long suffering, which induced them to pardon the repentant sinner, not only seven times, but seventy times seven, disturbed the spiritual bile of their most inveterate enemies of Port Royal, who, like the Pharisees of old, stood aloof from the miseries of human frailty, thanking God that they were not as other men ; it was the Jansenists who first raised their eloquence against the

Jesuits, which, with innumerable sectarian and infidel commentaries, has been handed down to our times, and which still passes current with those who are satisfied to live upon other men's opinions.

The concluding volume brings us down to the end of the seventeenth century, where the work terminates. This period is one of great interest, inasmuch as it corresponds with the last grand compact Catholic reaction in philosophy and literature. The magnificent patronage of Louis the Fourteenth had rendered Paris the real centre both of letters and of art, so that to France all eyes were directed, and in France were mooted all those grand questions which separated the learned of this age. We shall pass over in silence that literary reaction of which Boileau may be considered as the legislator, and Corneille and Racine the champions, in the department of poetry; and Bossuet, Fenelon, and Massillon, the champions in prose. We shall confine ourselves exclusively to the progress of religious and philosophical opinions, and thus complete our very hasty view of the consequences of Protestantism; tracing those consequences down to their last effect, the grand social and religious cataclysm of 1793.

We avow candidly that in speaking of the history of philosophical and religious opinions, in their relation to the Protestant principle of unlimited enquiry, we are obliged to keep our eye attentively fixed upon the history of the *Church*. Because, according to our point of view, the Catholic faith is the only test of religious truth, and it exercises at the same time an important influence over philosophy; since it is utterly impossible to exercise the intellectual faculties without the intervention of language, and it is equally impossible to separate language and tradition. Every man, at the moment when he begins his philosophical system, has already assented to some portion of Divine truth; this he can only demolish legitimately by insurmountable arguments. But what is the ordinary method adopted by those who doubt. Do they batter in ruin the edifice of their supposed prejudices one by one? By no means; they pretend to demolish the whole fabric of their religious belief, and then to re-edify it upon a more certain foundation. We say they *pretend* to do so; for, as to really doing so, the thing is in itself absolutely impossible; man, by the very constitution of his intellectual nature, being bound to believe what is in itself credible. It by no means depends upon ourselves whether we choose to believe, or not to believe, that such places as Constantinople and Amsterdam

really exists; no man ever doubted their existence, because no man ever had a sufficient interest in their non-existence to make it worth his while to darken his mind by a chain of clever sophisms, by means of which he might perhaps have arrived at doubt, if not *actual*, at least *philosophical*. No man ever doubted the existence of Julius Cæsar, for the same reason. But how many have doubted, or pretended to doubt, of the existence of the invisible world, of the divine founder of the Christian religion, and of many in the series of that succession of holy men, who, without interruption, have handed down to the present day the apostolic tradition? facts which repose upon evidence much more imposing than those which we have chosen at hazard, as *incontestable*, as long as people remain in their senses.

It is not our intention, however, to trespass on the domain of ecclesiastical history; the facts to which we may think it necessary to allude, will be examined in their principles rather than in their details.

In speaking of the first portion of the seventeenth century, we had an opportunity of remarking the increased respect which many Protestant divines shewed for the writings of the fathers, and the traditions of the primitive Church; but unfortunately for the speedy and happy adjustment of the matter at issue, there is a certain indefinite vagueness in written language which enables clever men to keep up endless disputes, in admitting the authenticity of the same texts. No subject furnishes a more remarkable proof of this fact than the interminable discussion of that fundamental doctrine of the Catholic Church—the real presence. Nicole and Arnauld, both men of learning and close reasoners, opened the controversial campaign by a treatise on this important subject, entitled, *La perpétuité de la foi de l'Eglise Catholique touchant l'Eucharistie*. This work, notwithstanding its incontestable merit, left the controversy exactly where it found it; because Nicole, to whom it was particularly addressed, in admitting the veracity of the passages cited as proofs, denied the sense which those theologians ascribed to them; one side insisting upon a literal, and the other upon a figurative, interpretation.

Bossuet, feeling himself called upon to interfere in the Protestant controversy, took up a new ground. He took upon himself to prove the authority of the Church. Thus, the divine institution of a *visible* authority being once satisfactorily established, the controversy was at an end. How far he suc-

ceeded each one must conscientiously determine, after an attentive consideration of the arguments which he produces. These arguments are of two kinds, positive and negative. He supports Catholic authority by tracing its uninterrupted transmission through the three separate dispensations in which the Divine will has been manifested to mankind,—the patriarchal, Jewish, and the Christian. He shows the intimate harmony which pervades the whole, and how the same idea, the re-integration of the human race by a vicarious sacrifice, is gradually developed and ultimately accomplished. He then attacks the Protestant principle, by demonstrating the irreconcilable variations of opinion to which it has given rise. His system is completed by the celebrated principle of objective certainty, of which Mr. Hallam runs foul in a most extraordinary way. Bossuet, in many parts of his works, in a manner more or less explicit, very justly attacks the opposite principle of subjective certainty. His writings, in all probability, furnished the Abbé de Lammens with the first idea of his philosophical theory of the supremacy of common-sense, which was destined to make so much noise in the world by the extravagant conclusions which he deduced from it. Bossuet's principle was identical in its fundamental idea with that which had been put forth by St. Vincentius Lirinensis in the fifth century, and which has been adopted by all the most eminent Catholic theologians since his day. Mr. Hallam is pleased to call this a *sophism*, and becomes really angry upon the occasion, a circumstance which we are bound to avow is uncommon with him; for coolness and comparative impartiality are qualities for which he is eminently distinguished.

The passage to which Mr. Hallam so violently objects, is brought forward in alluding to Bossuet's celebrated *Conference with Claude*, in which the Bishop of Meaux, refusing to quit the strong ground of “*Church authority*,” the disputants joined issue upon that capital question. Mr. Hallam rather sneers at Bossuet's triumph, because he relates it himself. But did Claude do the same thing? Was there a double victory? Not at all. Claude, if he was not convinced, was at least silenced. In his account of this conference, Bossuet says, “I urged in a few words what presumption it was to believe that we can better understand the Word of God than all the rest of the Church, and that there would be nothing on this theory to prevent there being as many religions as persons.” (*Œuvres*, xxiii. 290.) This is what Mr. Hallam is pleased to term a sophism, and which, in fact, he very satisfac-

torily proves to be one (at least in his way); that is by entangling it in half a dozen of his own. Mr. Hallam appears to admit the fact of the legitimate influence of personal authority, but strangely denies that the general consent of all the learned members of the universal Church is of any weight.

"There can be no presumption in supposing that we may understand anything better than *one* who has never examined it at all; and if this *rest of the Church*, so magnificently brought forward, have commonly acted on Bossuet's principle, and thought it presumptuous to judge for themselves; if out of many millions of persons a few only have deliberately reasoned on religion, and the rest have been, like true zeros, nothing in themselves, but much in sequence; if also, as is most frequently the case, this presumptuousness is not the assertion of a paradox or novelty, but the preference of one denomination of Christians, or of one tenet maintained by respectable authority, to another, *we can only scorn the emptiness as well as resent the effrontery of this common-place that rings so often in our ears.*"—vol. iv. p. 132.

Notwithstanding the lofty tone of the concluding sentence, we shall not retort the angry epithets which it contains. We must, however, take the liberty of saying, at the risk even of being charged with *emptiness* and *effrontery*, that this playing upon words appears to us wholly unfit for the occasion, and equally unworthy of the gravity of the author. We beg leave to ask what is meant by the collective epithet *one*, at the commencement of this passage? This unity, which Mr. Hallam appears to reduce to *zero*, is no other than the Catholic Church! The Catholic Church then has never examined the questions which she has so solemnly decided? She possesses neither the authority nor the means of doing so! Again, he tells us that these differences of private opinion do not manifest themselves in the assertion of *paradoxes* or of *norelties*, but in the preference of one amongst many conflicting doctrines, all equally probable or *respectable*. Has Mr. Hallam lost sight of the moment when all these opinions, if not *paradoxes*, were most certainly *norelties*? When the man who first broached them stood alone, and set up his judgment against the judgment of thousands equally wise and equally pious? How does he reconcile that fact with his own admission, "that certainly reason is so far from condemning a deference to the judgment of the wise and good, that nothing is more irrational than to neglect it." This is establishing the doctrine of *authority* upon a philosophical basis. It is physically impossible that any man should examine all the

opinions which he adopts ; and such is the constitution of the human mind, and of society itself, that deference to the opinions of the wise, and of those who are invested with a certain authority, is a moral and social necessity. Amongst the thousands of Protestants who at the present day zealously defend their opinions, how many of that number have *examined* the principles upon which those opinions repose ? One adopts the opinions of Luther, another the opinions of Calvin, a third the opinions of Socinus ! But the opinions of these doctors have been carefully examined by the competent authority, and condemned as erroneous. Why did they not then submit to that authority, the legitimacy of which all men admitted, even themselves ? Because they reasoned as Mr. Hallam reasons, in the concluding [sentence of the passage before us—

" But when this [authority] is claimed for those whom we need not believe to have been wiser and better than ourselves [in the case of Luther, this despised fragment of humanity comprised nearly all the doctors of the Catholic Church] ; who," continues he, " we may sometimes without vain glory esteem less, and that so as to set aside the real authority of the most philosophical, unbiassed, and judicious of mankind [in the case of Luther, all the heretics and infidels who had preceded him, and, mark well the fact, these alone] ; it is not then either pride or presumption, but '*a sober use of our faculties,*' to reject the jurisdiction of authority."

This is indeed a melancholy example of the influence of early prejudice upon a mind naturally elevated and impartial. But it is in the very nature of things, that when a man has once thrown off the salutary restraint of authority, he necessarily regards it, viewing it merely in the abstract, as an intellectual yoke not to be supported. He rejects it in principle, but he is obliged to admit it in practice. In religious matters, the man who *protests* against the authority of general councils, admits, without contestation, the authority of the minister to whose chapel he subscribes ! Such is human nature, and so easily are men caught with words.

The high tone which Bossuet assumed in his correspondence with Leibnitz and Molanus appears to us a natural consequence of his position, and not at all to be attributed to characteristic haughtiness. There was in his time a great desire amongst the most intellectual men in Germany to return into the bosom of Catholic unity. Bossuet, however he might be disposed to conciliate, could not compromise truth ; he made no concessions, because he had none to make. In speaking of this state of public opinion, Mr. Hallam indulges in a very

sharp epigram on the house of Hanover, many members of whom were known to partake in it. Their wavering faith was, however, *settled*, says he, by the Act of Settlement!—which, as the reader is aware, excludes *Catholics* from the succession of the throne.\*

Mr. Hallam's opinion of Bossuet's celebrated work on the variations of the Protestant Churches, will astonish more than one of our readers. We shall not here discuss the *learning* of Bossuet, although we avow we have always been in the habit of regarding it as very respectable. We doubt not that had he thought the thing advisable, he could have looked up the passages of the fathers as well as another, and, if he chose a more comprehensive method than this discussion of ancient texts, it was, we think, because such discussions had hitherto led to no useful result. But the peculiarity lies not here; Mr. Hallam admits that, in choosing the subject, it would have been impossible to find one *more fit* to display the characteristic impetuosity and the cutting sarcasm of his genius. “The weaknesses, the inconsistent evasions, the extravagancies, of Luther, Zwingle, Calvin, and Beza, pass, one after another, before us, till these great Reformers seem, like victim prisoners, to be hewn down by the indignant prophet.” (Vol. iv. 135.) The fact of the interminable variations of the Protestant Churches is proved beyond the reach of doubt. But where then has Bossuet failed? He has failed, Mr. Hallam tells us, in proving that this variation was a just subject of reproach! On the contrary, the real subject of reproach, in his opinion, was that they had not varied enough! The author thinks, “*that a little more of this censure would have been well incurred.*” Because, as soon as you admit anything which the Church of Rome admits, the close reasoning of her theologians take advantage of it; whereas, “*successive variations are only analogous to the necessary course of human reason on all other subjects.*” (p. 136.) This view of the subject appears to us essentially *new*; but we doubt very much whether it will meet with the general approbation of the Protestant public.

All the reasoning at this period was not, however, on the same side; the Anglican divines stood forth with increased energy, and their eloquence and learning are not to be called in doubt. Like men, who attempt a last desperate effort upon some stronghold which has hitherto resisted the most vigorous efforts of all its assailants, they make use of everything which

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\* See ant. Art. V.

is capable of being converted into a weapon of offence. Good arguments, bad arguments, and, according to Mr. Hallam, even false arguments, backed by false citations. In speaking of Taylor's *Dissuasives from Popery*, the main tendency of which is, he says, “*to excite a sceptical feeling as to all except the PRIMARY doctrines of religion,*” a just tribute is paid to the extensive learning of this writer; but he at the same time acknowledges, that in its application he is neither scrupulous nor exact. In a note at the foot of page 137, we find Taylor himself maintaining the right of using arguments, and even *authorities*, in controversy, which we do not believe to be valid.

It is not therefore to be wondered at, that, with such principles, Protestant controversy should have made little progress, notwithstanding the talents of Barrow, Stillingfleet, Tillotson, and Wake. A circumstance no less remarkable is, that the writings of these authors are little employed in the controversy of the present day. They have, however, had no successors worthy of their fame: this period closes the list of great controversial writers, both in France and in this country; for now the controversial question again shifted its ground, with the progress of the Protestant principle; and the question was now no longer as to which of the particular dogmas of the various Christian communities should be received, but whether Christianity itself, as based upon a special revelation, was worthy of credit.

This important question was the principal object of controversy during the ensuing century, to which Mr. Hallam's work does not extend, and more particularly so towards its close. The voluminous writings of Voltaire, Rousseau, D'Alembert, Diderot, and other writers of this school, gave the last blow to the existence of all authority, civil as well as religious, and prepared that political, social and religious cataclysm which will constitute the astonishment of future ages.

But as religious, as well as philosophical, opinions, like many other things, move in a circle, when a nation, or an epoch, have traversed the whole line, they are led back to the point from which they started. A modern author,\* in treating of the history of philosophy, has particularly attached himself to the observation of the gradual progression of doubt, and its uniform consequences on public opinion, not only amongst the Hindoos and in ancient Greece, but in our own days; and,

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\* Cousin, “Cours de l'Histoire de la Philosophie.”

from this uniform result, he appears to conclude, that there exists a law of the mind, by which man, when once by his own act he separates himself from the dogmatism of authority, after having been tossed for a certain time upon the sea of doubt, forcibly seeks refuge in that port from which he started, or in the no less positive dogmatism of his own imagination. He thus takes upon himself the task of pointing out the constant succession of four distinct forms of philosophy; namely, the dogmatical philosophy, the critical philosophy, the sceptical philosophy, and the mystical philosophy.

We shall not attempt to do the same thing for the history of religious opinions, although we are intimately persuaded that such is the natural order of progress in the mind of individuals; and if that progress is not exactly realized in the history of any particular society, it is because, in religious matters, there are too many passions brought into play, and too many subsidiary causes, which modify the general laws. Moreover religious opinion exists in every possible variety as to its degree of separation from truth.

M. Cousin, of course, considers mysticism as the natural ally of superstition; and it is to this species of mysticism that we exclusively refer at the present moment. We beg, however, to protest against the conclusion, that there exists any necessary connexion between superstition and mysticism, using that word (and we believe we have no other), as the equivalent of private or individual inspiration;—a very delicate matter, upon which we are not called to enter. The mystics to whom we are about to refer were, perhaps, inspired, but it was certainly not by the spirit of light.

Our sole object in the foregoing observations is to establish the real state of the Protestant controversy at the present moment. We sincerely believe that doubt, carried to a certain unlawful extent, opens the door to scepticism, as a system, which then in its turn becomes dogmatic and exclusive; and that this scepticism, when men adopt it as a rule of action, leads them into a labyrinth of perplexity and misery. That the mind, enervated by its own excesses, and still agitated by that invincible necessity of belief, which forms, as it were, its essential characteristic (belief being the condition *sine qua non* of all moral and intellectual life), catches at the first empty probability which presents itself, as drowning men catch at straws. Then rises, upon a false foundation, a rapid superstructure of error, the perishable nature of which is only perceived when its unfortunate architect is buried in its ruins.

As far, then, as regards the question of submission to authority, in some form or other, such men, turning in a circle, finish by arriving at the very point from which they started ; and thus the Protestant controversy itself may be regarded as a vast circle, the various points of which are occupied by different persons in different ages, or by different persons in the same age, accordingly as they may have advanced in the logical progression of doubt, or have thrown themselves headlong into one of the many forms of false mysticism.

Our own days, and the country in which we live, have offered two very remarkable instances of this false mysticism. The first, and the most extravagant, was that to which Joanna Southcote gave her name. This preposterous folly is far from being at an end, notwithstanding the death of the *Prophetess*. We are perfectly aware that well-educated Protestants affect to treat this grotesque episode in the history of religious opinions as a thing exclusively confined to the vulgar ; but such is by no means the fact : many men of education, and occupying highly-respectable situations in society, having submitted to the operation of being *sealed*, and what is still more conclusive, having paid for it.

With regard to the other instance, which was the celebrated affair of the “*unknown tongues*,” we can speak from personal observation. Mr. Irving, who was the great apostle of this novelty, was a man inferior to no one in intellectual powers. The person who could fix the attention of crowded assemblies, in which were to be found many of the principal ornaments of the bar and of the senate, and that for many months, could have been no common man : this was undoubtedly the case, and to a degree that the interference of the police became necessary to maintain order in the dense crowd of men, and of equipages, which besieged the doors of the Scotch Church. We have more than once attentively listened to the arguments by which Mr. Irving justified the *inspiration* of the persons who vomited forth this execrable gibberish ; and we hasten to avow it as our sincere opinion, that few men, separated from that authority which is alone invested with the power of *judging spirits* ; few men, we say, of a noble and generous nature, and capable of following, with attention, a series of logical deductions, could have resisted his moving eloquence, and his close reasoning. Yet this fine intelligence fell a prey to the fatal illusion which took possession of it ; and Irving, one of the most accomplished orators, and one of the profoundest thinkers of his time, is now, by those who never knew him, confounded

with the vulgar herd of fanatics, who from time to time arise for the punishment, and for the amusement, of humanity.

The Protestant controversy has then, according to our views, passed through all its phases, and, henceforth, nothing remains but to say over again what has been already said, and to do over again what has been already done. All that remains for the conscientious Catholic, is, to determine at what particular point of the circumference his opponent has taken his stand,—whether he objects to the authority of the Catholic hierarchy, to the authority of him by whom it was founded, or whether, advancing a step further, he puts in question the interference in human affairs of Him by whom the founder of our holy religion was sent; or, finally, whether admitting His existence, and His active influence, he considers himself specially inspired by His spirit; for all these errors, and for all their intermediate shades, the arguments by which they have been a thousand times refuted are in our hands; but, in order to use them, one preliminary condition is required—a sincere desire of truth in those to whom they are addressed. Arguments we can give, and arguments in abundance; but this spirit of docility is the exclusive gift of Him who rules the heart, and is to be obtained by prayer alone.

The unusual length of the present article must be our excuse for passing over unnoticed several matters in the present chapter intimately connected with the progress of religious opinion; as also in the two following, which are devoted to the proximate subjects of speculative and moral philosophy. Such as the gradual progress of Arminianism, out of which arose that spirit of Jansenism which so long agitated the Church of France; as also the writings and errors of Fenelon, who exercised so great an influence upon the age in which he lived. We must likewise pass by the long struggle of the Jesuits, with that outpouring of spiritual pride, the principal centre of which was Port-Royal, and one of the principal champions of which was Pascal, who, in his celebrated *Lettres Provinciales*, struck a heavy blow at that order, the spirit of which he did not understand. Time alone—Time, the destroyer and the avenger, has for ever put an end to this violent controversy; the Jansenists are now an obsolete sect, whilst the Jesuits, reestablished by the competent authority, still exert their salutary influence throughout the universal Church.

We think it unnecessary to make any apology to our readers for the limited view which we have taken of the interesting work before us. Obliged, by the very character of the work

itself, to adopt some special limit, we thought that no subject was more in harmony with the spirit that directs our labours, than a rapid sketch of the progress of that principle which establishes the right of unlimited discussion, and which, after many ineffectual efforts, ultimately triumphed in the religious troubles of the sixteenth century. In a former article we spoke at some length as to the author's appreciation of the men by whom this religious revolution was effected; in the present, we have attached ourselves more particularly to the consequences—moral, social, and literary—which have resulted from it: in the course of these two articles we have quoted many passages in which the author treats both the *Reformers* and the *Reformation* with considerable severity; we have principally confined ourselves to such, and, we think, very legitimately; for whatever a man once admits, becomes a fair weapon in the hands of his adversary. It is, moreover, very rare that the author ever defends either the one or the other; his historical impartiality, and his natural good sense, generally triumph over the early prejudices of his education. No one, therefore, can accuse us of partiality in our quotations, since we professedly defend a certain principle, which has been clearly laid down; how far we have succeeded we leave the impartial reader to decide.

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**Art. VIII.—*First Report of the Agricultural Improvement Society of Ireland.* Dublin: 1841.**

PROSPECTS of real practical improvements, are at last, we feel most happy to say, opening upon the long-neglected territory and people of Ireland. Various societies holding in view especially the cultivation of her soil, and the importation of superior races of cattle, sheep, and swine, have been during several years past established, which undoubtedly accomplished, while they existed, a very considerable amount of good. The association of Ballinasloe, in the county of Galway, under the spirited guidance of Lord Clancarty, and with the liberal assistance of the gentlemen of his neighbourhood, has tended chiefly to render the great animal fair of that town, one of the most celebrated marts for the sale of sheep that are now known in Europe. Other institutions upon a similar plan have been from time to time established in other counties. They have all, more or less, been exceed-

ingly useful in their way. They have shown, in many instances, how much of improvement may be effected by the aid of implements not previously used in Ireland, by attention to the species of crops which ought necessarily to occupy her arable land, and by introducing from England and the Netherlands better breeds of the animals destined for human subsistence.

But few, however, of these local bodies enjoyed a prolonged existence. The want of a general solid institution, sustained partly by voluntary contributions from all parts of the country, and partly assisted by regular grants from parliament, was felt at a very early period. In the year 1800, a general farming society was instituted upon this principle in Dublin, which during its continuance (viz. twenty-eight years), conferred upon the country many advantages. Persons well acquainted with its operations, have stated, that in order to estimate its labours, we need only select the worst farming in the least improved district of the island at the present day, and suppose *that* kind of agriculture, if agriculture it ought to be called, spread, before the society was established, over the entire surface of our soil. The ordinary implements of husbandry were of the rudest and most defective construction. The ploughs, such as they were, were drawn by miserable half-starved horses. The halter, the collar, the back-band, were ropes of twisted straw. In remote parts of Ireland, it was then no rare spectacle to see a harrow drawn by two colts yoked to it by the tails. Sometimes a sowing of flax was harrowed in simply by an inverted turf-kish, drawn by a man, and pressed to the ground by a woman who followed!

The introduction of the best races of breeding stock, was one of the first objects successfully achieved by the Farming Society. Although the beneficial results were necessarily confined to those who had the means of purchasing and preparing food for such valuable stock, nevertheless it turned out to be a decidedly great benefit to the country, to attract the attention even of that class, however limited it may have been, to this most important department of husbandry improvement. Superior stock required fine feeding, beyond the ordinary pasture even of our own "green isle," such as turnips, mangel-wurzel, and vetches of every kind. The growth of these productions superinduced the necessity of the best tillage, through the medium of skilfully directed labour, improved implements, and an abundance of judiciously selected manure.

Ploughing matches were next introduced, which have been

attended with great success in many parts of the country. On those occasions, prizes, consisting chiefly of the most perfect kinds of ploughs and other agricultural implements, and sometimes of money, were distributed. These matches were usually attended by great numbers of the peasantry ; and we have been informed, upon good authority, that the spirit of competition created by these exhibitions, has very much tended to the removal from the minds of the country-people, of many deeply-rooted prejudices which had been previously opposed to agricultural machinery of almost every description.

As soon as it was seen that the old prejudices and superstitions of the peasantry upon these points began to be dispersed, the Farming Society presented in many instances Scotch iron ploughs to working farmers, whose industry and sobriety were duly certified. The result of these distributions has been described in the following humorous terms :—

“ The small farmer, formerly content with the vile old plough and its miserable accompaniments, upon receiving one of iron, with a handsome set of painted swingletrees, thought it *too bad*, as he would express himself, to have it drawn in *the ould way* ; and in downright shame would strain a point to make a hempen back-band, horse-skin collar, and winkered bridle, supplant those articles in former use, of fragile and temporary manufacture. He would, moreover, try to *swap the ould mare* for one of a stronger cut ; and gaining something *better* in the horse way, would perhaps be disposed, by a patch of clover or vetches, to provide something better for the animal’s support.”

To the better order of farmers, ploughs, rollers, and harrows were given by the Society at reduced prices. For these and other agricultural implements a factory was established, which adopted the best models to be found in England and Scotland. Here also apprentices were received and journeymen instructed, for the purpose of conducting local factories throughout the country. Persons skilled in the use of the new implements, were employed by the Society, and sent free of cost, to all who made application for them. Some progress was also made under the auspices of the Society, in the material knowledge of draining, of using the drill machine, and in the management even of the Hainault scythe. The spread, however, of the latter, was limited, by its having been found “ too expeditious ” for the Irish labourer, as it tended to diminish the number of persons ordinarily deemed competent within a given time for the sickle-work of a certain proportion of land. This is a question of economy, upon which it is

extremely difficult to enlighten the minds of the industrious classes. They cannot be brought by any process of reasoning, to understand how the employer could be enabled actually to increase the number of his labourers by the aid of machinery; which is calculated to diminish his expenses, and, by consequence, to augment his capital, by which augmentation, his agricultural enterprises might be most beneficially extended.

The practical results of the Society's operations were particularly experienced in the county of Wicklow, which was within the immediate sphere of their influence. Its fertile valleys were cultivated by imported seed-corn, and the introduction of new implements. Its mountains were rapidly covered with improved flocks of sheep, substituted for a miserable race of animals extremely small, bearing very little flesh and no wool. The flock masters were enabled to boast of their mutton, which is still much sought after. Their fleeces were improved not only in quality but quantity; and the cloths manufactured from them were considered remarkable for their fineness and durability. The seed-corn introduced by the Society was pretty generally spread through the country, and the samples of its produce were allowed by the chief factors at Mark Lane, to equal any that had ever been exhibited for sale. The Society in question has been justly deemed instrumental in stimulating the general ameliorations in our native classes of sheep, of which from eighty to one hundred thousand have been annually produced for sale at the October fair of Ballinasloe. It is stated, also, that to the exertions of the Society, the country is much indebted for the improvements that have taken place in the old race of our swine, and which have enabled Ireland to supply England annually with a vast number of that most useful animal.

In consequence of some circumstances, however, which it is not necessary now to investigate, the parliamentary assistance previously given to the Farming Society was withdrawn, and the society itself dissolved in 1828. The yearly subscriptions promised to it by its members had fallen much into arrear, and although exertions were subsequently made by several spirited and patriotic individuals to revive it, their efforts altogether failed. Attempts have been more than once made since that period, to form a general agricultural society for Ireland, but no progress was effected until Mr. Purcell recently applied his experience, his great talents for business, and his strong mind, to the task; and we feel the greatest gratification in being enabled now to announce, that an institution for this

purpose has been organized, under the patronage of her Majesty, and the auspices of many of the most distinguished noblemen and gentlemen of the empire.

The first report of this most important association is now before us, from which it appears to have been founded principally upon the models of the agricultural societies of England and Scotland, modified by some suggestions found amongst the papers of the late Mr. Drummond, who, with that never-tiring zeal for the welfare of this country by which he was always animated, had contemplated the formation of a similar institution some years ago. The chief government of the society is vested in a council, not exceeding one hundred members, who are empowered to name sub-committees from themselves and the body of subscribers at large, for the purpose of attending to the correspondence and the financial duties of the society, and also for the improvement of agriculture, and with a particular attention to the condition of the labouring classes, and for such other matters as may seem necessary to the council. It is most wisely made a fundamental rule of the society, that no question shall be discussed at any of its meetings of a political tendency, or which shall refer to any matter to be brought forward or pending in either house of parliament.

The primary objects of the society are, of course, as its name implies, the encouragement of every practical means of improvement in husbandry. An agricultural museum is to be formed in Dublin, in the first instance, for the exhibition of the most approved implements, similar to that already existing in Scotland and many parts of England. Connected also with the society, but not at all dependent upon its funds, an Agricultural College is to be formed. This we take to be a project which promises, if carried successfully into execution, to be of vital importance to Ireland. Here the sons of farmers are to be instructed in all the different branches of husbandry, so as to qualify them hereafter as practical farmers, in different parts of the country. The students are to be occupied partly in the practical duties incidental to agricultural life, partly in learning the principles of surveying, engineering, mensuration, veterinary science, and everything relating to what may be called agricultural chemistry, such as the nature of manures, alkalis, and salts of different kinds, and their effects upon the soil and all vegetable productions.

It is proposed to confide to this college the duty of keeping accurate accounts of the expense by which different systems of

agriculture are attended, with a view to obtain a fixed authority upon this most important subject. The proceedings of this institution are to be carefully recorded, and published annually, with a view to exhibit the results of the different experiments made during the year. The students, it is intended, are to pay a certain amount for their board, and it is expected that the remaining expenses of the establishment will be fully provided for by the produce of their own industry. Should this plan succeed, it is to be afterwards extended to each of the provinces, according to circumstances.

With respect to the general finances of the society, it has been wisely arranged, that all gifts and donations are to be funded without any reserve. The necessity of this rule has been suggested by the well-known fact, that all societies previously established for agricultural purposes, have finally failed for the want of funds and annual contributions. It is intended, therefore, to create a large capital at the commencement, and to place it beyond ordinary control. Thus the confidence and future support of the public will be secured; and it is expected that the current expenditure of the society will be amply provided for by the interest of their capital, and the annual subscriptions of the members.

It is an essential portion of the plan, that local societies, for promoting all the objects of the institution, should be formed in all parts of the kingdom; that with these societies, as well as those already existing, constant intercourse should be preserved; and, that through their assistance, useful information should be collected, and diffused as widely as possible. These local societies, however, are not to be branches of, or dependent upon, the general institution. Each is to act for itself in its own sphere. But assistance is to be given to the district society in this way:—supposing that such a society should have arranged an annual exhibition, and that a fixed sum should have been collected for the purpose, then the Dublin institution will offer to give certain prizes to be contended for at such exhibition, and those prizes will be paid by that institution alone, when claimed by the party certified to be duly entitled.

By these means it is proposed to afford all possible encouragement to every branch of husbandry, the draining of marshy countries, the irrigation of dry and hilly soils; the introduction of the best qualities of cattle and sheep into the grazing districts; the growth of flax; the culture of turnips in particular, and of such other green crops as are found essential in the rearing and feeding of cattle. Measures, moreover, are

to be adopted for instructing the small holders of land how to apply their labour, and to turn even the minutest portion of their tenements to advantage. Useful practical knowledge is to be diffused amongst them through the medium of cheap publications; and a sub-committee is to be appointed for the purpose of carrying this most important object into effect.

We wish to invite particular attention to one of the concluding paragraph of the Report, which is framed in these terms:—

“ Your Committee cannot conclude their Report, without expressing their strong conviction that the improvement of the *social* condition of the agricultural labourers and small farmers of Ireland by practical and effective means, should form the most prominent object of the Society. They are, therefore, firmly persuaded, that no measures can be adopted for permanently and effectually promoting the agricultural interests in Ireland, which do not tend to advance the moral and social condition of the labouring population, and to elevate them in society, so that by improving their habits by example and encouragement—increasing their comforts by sympathy and attention, they may learn to feel that the interests of all classes are identified; and making agriculture as it were a neutral ground, to merge all differences in the common good.”

We have now laid before the reader the outlines of the plan of this new institution, and we are happy to perceive that it has already met with very liberal pecuniary support from the public. Indeed, so far as the financial prospects of the society are concerned, they appear to afford to it every hope of durability. The objects embraced in the general scheme—objects not merely confined to improvements in husbandry, but extending also to the moral and social condition of the peasantry throughout the country, contemplate a real revolution in the whole frame of society in Ireland—a revolution from which, if it be conducted by master hands, the most happy consequences must ensue. Party animosities will be reconciled—sectarian prejudices will be dispelled—industry will be generously fostered—employment will be afforded to great numbers of persons hitherto pauperised by the want of sufficient occupation, and the whole face of the land will undergo a most auspicious change.

We cannot, however, conceal from ourselves the fears we entertain as to the mode in which the knowledge they so much want is to be conveyed to the habitation and mind of the poorer classes of the tenantry throughout the country. Publications of a scientific nature—even though that science be of

the utmost importance to the poor husbandman—will not reach him in the ordinary way. Even if they do, how is he to understand them—how is he to be enabled to appreciate and carry into effect the suggestions they may contain? These are questions most essential to be solved, and as we have given much consideration to the subject, we shall take the liberty to offer such observations relative to them as have occurred to us.

We take it for granted, in the first place, that a number of experienced practical agriculturists will be appointed to visit periodically all parts of the country, whose business it will be to awaken the attention of the people to the new improvements that have taken place in husbandry, and to point out to them the modes by which, with very little expense, their cottages may be rendered infinitely more cleanly, more healthy, and more comfortable than they now generally are. The removal of the dung-heap from before the cabin-door—the deposit of their collections of manure in pits instead of upon heaps already accumulated—the erection of a shed for the pig—the filling up of the stagnant ponds so usually found near the miserable hut—the addition of a good chimney—the formation of a dry floor—the insertion in the walls of metallic windows, well glazed, capable of being easily opened, and so situated as to afford the means of thorough ventilation. These and other obvious improvements of a similar description, if explained in simple language to the occupying tenantry, would of themselves, if attained, be productive of the greatest benefit. It is not improbable that local societies may be speedily created, where they do not already exist, which might contribute to the necessary expenses of these improvements. The landlords too, and their agents, would not, we hope, be appealed to in vain, it called upon to assist in these primary alterations.

Give the peasant, in the first instance, the clean and cheerful hearth, the roof well thatched and secured from the winds and rains of winter, the neat dry-sanded floor, the wooden bench to rest him from the labours of the day, and the warm bed whereupon he might enjoy undisturbed “great nature’s sweet restorer, balmy sleep,” and soon other wants will begin to attract his attention, which may be supplied upon very economical terms.

The publication of the transactions of the general and local societies may be highly useful in their way. But the instruction they will afford, so long as it is retained in expensive volumes, and conveyed in language of a technical and sci-

tific description, can never benefit the cottager, however acceptable it may prove to the higher classes of society. Indeed, even in this elevated sphere we have observed that publications of this description are very seldom read to any considerable extent. The volumes are received,—they remain uncut, and they are eventually thrown by as so much lumber. Nor are we at all surprised at this result: such compilations are generally made up of papers transmitted to the society. The papers are for the most part, with some very brilliant exceptions we admit, written very inartificially, and in a dry uninteresting style, calculated to repel rather than to invite attention.

We are of opinion that, as a general rule, well-written abridgements only, of papers forwarded to the society, should be committed to the press. Let the original document be carefully preserved in manuscript amongst the archives of the society, and, if necessary, transcripts of it be given at their own expense to those members who may choose to have them; but let not the printed transactions be inundated with the ill-written and crude communications of persons who are ambitious to see themselves in print.

Nor should such abstracts be published in a separate form. They should be appended to a quarterly journal, which, if properly conducted, might be rendered quite as popular as the *Edinburgh* and *Quarterly Reviews*. This journal should contain judicious reviews of all new works connected with astronomy, meteorology, geology, mineralogy, electricity, and chemistry, as well as with husbandry, for all these sciences are connected, more or less, with the improvement of agriculture. Probably a monthly, or a two-monthly publication of this description might be found still more useful than a journal which should appear only four times in the year. This is a question for consideration.

But the power of the society to diffuse information would be still extremely limited, if it were confined to periodicals of any of the three classes which we have mentioned. Let us contemplate the actual state of the great mass of the Irish people at the present moment. They are for the most part deficient in the habits necessary for acquiring accurate and useful knowledge. But it must be taken into consideration, that even if the contrary were the fact, they do not possess the means of improving their minds, nor the leisure necessary for that purpose, nor the power, very generally, of reading any publication suited to their capacity which might be placed

within their reach. They eagerly listen to any person who can read for them a newspaper containing exciting speeches connected with the leading political topics of the day. It may be observed also, from the avidity with which ballads are bought up at the markets and fairs, that compositions of this description are very much diffused amongst them; and we fear that in too many cases the faculty of reading acquired by the rising generations is devoted infinitely more to the doggrel ballad, and the most violent of the political periodicals of our day, than to any works which might tend to their economical and social improvement.

It is, nevertheless, of great importance to know that even for such productions as these an appetite does exist. It will be one of the noblest duties of the new institution to wean their attention gradually from compositions of this kind, and to direct it to higher pursuits. A very feasible mode for effecting this object, as it appears to us, is this. The society should publish a weekly journal, very much upon the plan of the *London Penny Magazine*, containing illustrations chiefly connected with agricultural subjects; such as sketches of neat cottages, implements of husbandry, of the best breeds of the horse, of cattle and sheep, and wood-cuts representing flowers, and illustrative of subjects connected with astronomy, meteorology, &c., might be occasionally introduced with great advantage. The letter-press of the magazine should also be dedicated chiefly to matters of the kind just mentioned. But topics of a miscellaneous nature should be by no means excluded. For every class of readers there should be something interesting in the magazine, with a view not only to the agricultural amelioration of the country, but also to the instruction of the people generally in such topics as would tend to their moral and social improvement. Politics should of course be most carefully banished from the magazine, and great care should be taken to avoid the possibility of its being made the instrument of any sectarian doctrines. But the omnipresence of the Deity in his works should be most diligently inculcated: the tone of the compositions should be cheerful, cordial, and winning; and the writers engaged in preparing the articles should always recollect that they are addressing the mind of a people particularly susceptible on every point relating to national position and character.

The magazine, thus constructed and published, should be transmitted to the local agricultural societies, and also to depots prepared for them in every part of the country—to the

shops of booksellers and circulating libraries, wherever such establishments are to be found, and where no such establishments exist, to the post-office and the national schools throughout Ireland. In no case should the journal be given gratis. It is observable that tracts distributed gratuitously are never read to any considerable extent ; for things which cost nothing seem always of little or no value. But the publication which is bought at its full price will be carefully treated, and the peasant who may be induced to purchase it will take pains to read or to have it read to him. In order to facilitate the circulation of the magazine, the boys who upon competition are found to be the best readers in their classes, should be selected to go about amongst the families of districts assigned to them, and to read for such families, not only the magazine, but also portions of any other journal which the society may publish. One copy of the quarterly journal should be deposited in every national school, and it should be lent out, through the agency of the readers, to any family who would subscribe some small sum, weekly, for the use of that publication.

Into other details connected with these publications we need not enter. Of course they should be illustrated in the best style of art, and printed on the most improved system of typography. The society would do well to consider whether they ought not to have a printing establishment of their own, and also mills for the manufacture of paper. It would be a project coming legitimately within their general plans for the improvement of the country, to introduce into Ireland foundries for casting type, and for stereotyping such of their publications as might be required to pass through several editions. By manufacturing their own paper also, they would be enabled to afford a better material for their works than they could purchase elsewhere.

The machinery for the circulation of the society's journals which we have ventured to suggest, might perhaps be rendered still more effective, through the agency of the constabulary stations and officers, and also by the officers connected with the administration of the poor-law. But in all cases the readers, where they are required, should be chosen by competition from amongst the boys educated in the national schools. A small salary should be assigned to these readers. The reward, however trifling, would have the good effect of inspiring emulation amongst the boys themselves ; and the practice of reading the society's publications would in time produce a useful effect upon the minds of these youths, by

cultivating in them a knowledge of the best systems of agriculture. Thus the seeds of practical instruction would at once be sown over the greater part of the kingdom, and in due time they would ripen into an intellectual harvest of the most abundant and the most admirable description. It is truly delightful to know, that never was an opportunity more favourable for the commencement of these great national improvements than that which we now enjoy; we have a population which we can truly designate as the most temperate of all the communities upon earth, whether savage or civilized; and it is universally admitted, that in point of intelligence, the Irish have no superiors, even amongst the most cultivated nations.

In propagating the great blessing of useful knowledge, sure we are that our Catholic prelates and clergy, and we hope the ministers of every denomination, will lend all possible assistance. We well know how intensely occupied our own clergy are at all times in the duties of their sacred office, but we cannot doubt that they will find time to give the good work a helping hand, and that they will universally encourage the circulation amongst their flocks of the productions issued by the society.

We are happy to see passing through Parliament at this moment a new drainage bill, which if carried into a law, must tend most materially to advance the agricultural objects of the institution. The principal purpose of this bill is to enable any person interested in a particular tract of land, liable to be flooded, to present a memorial to the Commissioners of Public Works, praying that the same may be drained under the provisions of the act. Should any river, capable of being made navigable, run through or near such land, the parties may also memorialize the commissioners with a view to attain this object. The sums necessary to defray preliminary expenses must, however, be deposited by the memorialists with the commissioners, in case that upon inspection of the locality the project should be not approved of by their surveyors.

With respect to the latter condition, we confess that we should like to see the memorialists entitled to appeal to some other tribunal,—the chairman of the quarter sessions for instance,—should the application be negatived by the commissioners. The creation of the provincial councils, which we ventured to suggest in the last number of this journal,\* would certainly remove many difficulties from this subject; but

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\* "Dublin Review," No. XIX. p. 230.

until some measure of that kind be adopted, we are much disposed to think, that the chairman of the quarter-sessions, or the judge of assize, aided perhaps by a jury summoned for the express purpose, should have some control in the matter, capable of being applied to the assistance of the memorialist, should they consider him entitled to it, whenever his application is rejected by the commissioners.

It would be desirable undoubtedly, that in all cases of extensive drainage, the assent of a majority, perhaps even of two-thirds of the proprietors of the land, should be previously obtained. Not only the extent, however, of their possessions should be taken into estimation, but also the fair value of those possessions. We are glad to see power given in this bill to remove all impediments to drainage and navigation which arise from watermills. Of course, in all such cases just compensation should be afforded where the constructions are of a certain number of years standing. The advances necessary for the execution of the works are to be made by the Board of Works, and to be secured upon the lands. The bill, as it now stands, does certainly give to the board very extensive control over the property of the parties pledged to the repayment of all such advances. The time for such repayment ought, we think, to be enlarged, and the extreme powers granted to the commissioners for the recovery of the sums advanced, ought perhaps to be somewhat curtailed. The terms of repayment and interest as they now stand, are such, we fear, as to deter parties from making applications under the act. It is one of the peculiar misfortunes of Ireland that its land proprietors are, to a great extent, absentees ; to this evil no remedy can at present be applied, and therefore it would be expedient that the legislature should step a little out of its way in fixing the powers of the commissioners, and consider more the general improvement of the country, than the strict and quick return of every sixpence expended upon it.

The importance of this bill to the interests of Ireland can scarcely be appreciated by persons ignorant of the geological character of this country. We find it stated in the first "Bog Report," that :

" A portion of Ireland, of little more than one-fourth of its entire superficial extent, and, included between a line drawn from Wicklow Head to Galway, and another drawn from Howth Head to Sligo, comprises within it about six-sevenths of the bogs in the island, exclusive of mere mountain bogs, and bogs of less extent than five-hundred acres, in its form resembling a broad belt drawn across the

centre of Ireland, with its narrowest end nearest to the capital, and gradually extending in breadth as it approaches the Western Ocean. This great division of the island extending from east to west, is traversed by the Shannon from north to south, and is then divided into two parts; of these the division to the west of the river contains more than double the extent of the bogs which are to be found in the division to the eastward; so that if we suppose the whole bogs of Ireland (exclusive of mere mountain bogs and bogs under five-hundred acres), to be divided into twenty parts, we shall find about seventeen of them comprised within the great division we have now described,— twelve to the westward and five to the eastward of the Shannon; and of the remaining three parts, about two are to the south, and one to the north of this division. We are led to believe, from various communications with our engineer, that the bogs in the eastern division of the great district above described, amount to about two hundred and sixty thousand English acres, which, on the proportion already mentioned, would give rather more than one million of English acres as the total contents of the bogs of Ireland, excluding, however, from consideration, mere mountain bogs and also all bogs of less extent than five hundred acres, of each of which description the amount is very considerable. Of the extent of the latter, some idea may be formed, from the fact which we have learned from Mr. Larkin, that in the single county of Cavan, which he has surveyed, there are about ninety bogs, no one of which exceeds five hundred Irish acres, but which taken collectively, contain above eleven thousand Irish, which is equivalent to above seventeen thousand six hundred English acres, besides many smaller bogs varying in size from five to twenty acres.

"Most of the bogs which lie to the eastward of the Shannon, and which occupy a considerable portion of the King's County, and county of Kildare, are generally known by the name of the Bog of Allen; it must not, however, be supposed that this name is applied to any one great morass; on the contrary, the bogs to which it is applied, are perfectly distinct from each other, often separated by high ridges of dry country, and inclining towards different rivers, as their natural direction for drainage, so intersected by dry and cultivated land, that it may be affirmed generally, that there is no spot of these bogs (to the eastward of the Shannon), so much as two Irish miles distant from the upland and cultivated districts."—*Bog Report*, No. i. p. 4.

Many persons believe the bogs of Ireland to be low and marshy tracts of country, not very dissimilar in their composition from the fens of Lincolnshire; others, aware that the substance of which they are formed, greatly differs from that of the fen districts, attribute nevertheless the origin of both to pretty nearly the same causes; while an opinion more prevalent, and, perhaps, not less erroneous than either, attributes their formation to fallen forests, which are supposed at some

former period to have covered these districts, and to have been destroyed either by the effects of time, or by hostile armies in the early wars of Ireland.

In point of fact, however, we have ourselves traversed many bogs in Ireland, which occupy the summits and sides of mountains. There are hills near Darrynane, covered with bogs, upon which we have had the pleasure of hunting with Mr. O'Connell, and his noble set of beagles. Most of the bogs surveyed by Mr. Griffith are in elevated situations. As to the instrumentality of trees in the formation of bogs, it may be affirmed that trees are found buried at the edges of bogs, and are very rarely found in the interior parts.

The bog seems to be a mass of the peculiar substance called peat, of the average thickness of twenty-five feet—nowhere less than twelve, nor found to exceed forty-two. It varies in appearance and properties in proportion to the depth at which it lies. On the upper surface it is covered with moss of various species, and to the depth of about ten feet, composed of a mass of the fibres of similar vegetables in different stages of decomposition, proportioned to their depths from the surface; generally, however, too open in their texture to be applied to the purposes of fuel: below this, usually, lies a light blackish-brown turf, containing the fibres of the mass still visible, though not perfect, and extending to a further depth of perhaps ten feet under this. At a greater depth, the fibres of vegetable matter cease to be visible—the colour of the turf becomes blacker, and the substance much more compact. Its properties as fuel then become much more valuable: in proportion to its depth and compactness, that value increases; when dug out and dried it bears a strong resemblance to bituminous coal; it produces a beautiful clear gas, and yields a black shining lustre, capable of being improved into a high polish. Beneath the lowest stratum of turf there is generally found a thin stratum of yellow or blue clay, varying in thickness from one to six feet. In some places the peat rests on a thin stratum of yellowish-white marl, containing on an average about sixty per cent. of a calcareous matter. Sometimes this marl is found appended as it were to lumps of dry peat, which easily crumble when pressed in the hand. Thin veins, also, of the same material we have seen in several bogs. It is of a soapy texture, and forms an excellent manure. Below the stratum of marl is often found a solid mass of clay and limestone gravel mixed together, descending to depths not yet explored.

In its general nature, especially near the surface, the peat

mass partakes of the property of sponge, completely saturated with water, and giving rise to different streams and rivers for the discharge of the surplus waters which it receives from rain or snow. Channels are thus frequently worn through the substance of the bog down to the clay or limestone gravel underneath, dividing the bog into distinct masses, and presenting in themselves the most proper situations for the main drains, and which, with the assistance of art, might be rendered effectual for that purpose.

These facts show how easily, and at what a comparatively small expense, a very great proportion of the bogs of Ireland might be converted into arable land and pasturage, and into soil fit for the plantation of trees of every description. Moreover, when viewed externally, they present surfaces by no means level, but with planes of inclination amply sufficient for their drainage. It has been ascertained that a very great proportion of the bogs of Ireland are full two hundred feet above the level of the sea. The probability seems to be, that there are very few parts of those bogs from which the water may not be discharged into rivers in their immediate vicinity, and with falls adequate to their complete drainage, and this, too, at an expense, which in a few years would be much more than covered by the profits derivable from the reclaimed territory. Nor need any fear be entertained as to a supply of fuel after the completion of the drainage operations. On the contrary, the quality of the turf would be much improved by those operations,—care being of course taken to reserve a sufficient portion of the bog in every district to meet its consumption for thousands of years to come. Large as the population of Ireland is, and has been, and numerous as the centuries are during which the bogs have yielded fuel to the inhabitants, the reduction of bogs in depth or extent seems as yet scarcely noticeable.

If besides the bogs, the morasses were also drained, and the overflow of the natural lakes drawn off by outlets to the sea, it is not to be doubted that the excessive moisture of our atmosphere would be corrected to a very considerable extent. If ever that result should take place, Ireland would be justly considered as the most salubrious portion of the whole British empire, whether at home or abroad. Even as it now stands, it presents perhaps a greater number of persons whose individual ages exceed seventy years, than any other country. It is no uncommon thing to hear in Ireland of women of fourscore, and of men of ninety and even a hundred years old.

Generally speaking, the winters are mild, and the heats of summer are seldom extreme. The pasturage and meadow fields exhibit carpets of emerald verdure through all the seasons. Even in the depth of winter, banks of the most fragrant violets may be discovered in sunny spots, and before the snow-drop and the crocus have disappeared in England, not only the hedge sides, but the uplands and valleys of Ireland may be seen profusely decorated with the primrose.

Take it all in all, with its now truly temperate men, its comely, chaste, and sprightly women, its rising generation of hardy, courageous, intelligent and educated youths, its admirable capabilities for the railway and the steam-boat, its wonderful natural fertility, the opulence of its sea borders in every species of the finest fish, its numerous harbours which scarcely require the improving hand of art, its internal communications by rivers and lovely lakes without number, its superb estuaries, unrivalled scenery, and, above all, its admirable geographical position for speedy communication with the old world and the new, there is certainly no territory like it to be seen under the sun.

Delightful, truly Godlike, therefore, will be the duties of the association that has at last sprung forth to break the manacles by which the destinies of Ireland have been hitherto bound down. It has appeared amidst a galaxy of circumstances, all of the most propitious nature that have ever yet been assembled together, to light industry on her way to wealth and renown. Before it have already vanished party and sectarian feuds. Men, long estranged from each other by religious and political contentions, meet in the chambers of the new Institution, animated only by one glorious hope and thought, the regeneration of their native land, and her promotion, by her own energies, to at least a level with her sister nation—the mistress of the world.

And let it not be forgotten, that the gracious and beloved sovereign who holds our imperial sceptre, has come to foster this institution by her influence, and thus to give a new pledge of her true affection for her Irish people. She has seen that the objects it proposes to effect are mainly directed to the advancement of the moral and social condition of the labouring population, to elevate them in society, and to bless them with comfort and happiness. Thus aided by her Majesty, her excellent representative in this country, our long-admired chief secretary, and the other able officers around him,—guided and liberally sustained by the Leinsters, the Charlemonts, the

Fingals, the Cloncurrys, and the most patriotic and high-minded of our gentry, the Royal Agricultural Improvement Society can hardly fail to triumph over every obstacle that may appear to stand in its way. *Perpetua esto!*

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ART. IX.—*Lives of the Queens of England.* By Agnes Strickland. Second Edition. 1841.

THIS elegant and useful work has, we rejoice to find, reached a second and much improved edition; and if in the continuation of it, which we are promised, the same spirit of research be brought to bear upon more ample materials, and the same dispassionate and graceful spirit preserved in treating of nearer and more exciting times, we think that Miss Strickland will have established for herself the character of one of the most useful and pleasing writers of the present day. Independently of the execution, we consider the idea of the work to be very valuable, and that it may tend to introduce a new description of biographies, more generally useful, and more calculated to throw light upon domestic history than any we as yet possess. There is certainly nothing new in the practice of elucidating obscure points in history by the private records of the individuals chiefly concerned in them, nor any dearth of materials for doing so. Memoirs, diaries, biographies, and autobiographies, histories of detached periods, letters and correspondence of all ranks and times, and all degrees of value, are abundant, especially in our own and the French language; and few styles of reading are more agreeable or more popular. These are, however, but fragments in the history of the manners and social progress of nations, too deeply tinctured by the peculiar views and circumstances of the subjects of them to be used as safe guides;—too voluminous to be in general circulation;—too disconnected and various to give a clear and single impression upon those subjects as to which they would most generally be referred to. They are in short the rich materials from which may be drawn all those details of the manners and modes of thinking and expression of the period, which are so valuable that they have often been held to counterbalance the disadvantages of the historical novel with all its inaccuracies. The most advantageous method of conveying this information is certainly by a series of lives, to form (with all the accessories that may be

grouped around them) a kind of running commentary upon the changes which time brings with it ; and the picture must obviously be more faithful, according as the characters selected move in the same sphere. They should not be unconnected with history, to which, in this use of it, biography would truly be a handmaid; nor yet should they be so overloaded by its important public facts, as to make the introduction of hundreds of minor and domestic matters irrelevant. How much interesting information, for instance, might be conveyed in a history of the Lord Mayors of London, supposing there existed materials for such a history, and patience to work them out !

Under this view, Miss Strickland's subject is most promising ; for the Queens of England are closely intertwined with the domestic history of their country. One is surprised indeed when presented with a connected view of the whole series, to see how much this is the case ; and for the most part how worthy they were of the influence which they possessed, by their talents or virtues, and frequently by both. It is true of women in particular, as of human beings in general, “they are what you believe them to be.” What trace is there of the trifling slave of the harem, or the monster of profligacy described by Juvenal, in the noble women of the middle ages ? Take, for instance, the majestic wife of the Conqueror—the devoted Matilda ; or Stephen's queen ; or the fair Adelicia, who crowned a life of blameless excellence by devoting herself soul and body to her Creator.

If, in the days of chivalry, women were idolized, it is worth while to observe what pains were taken to fit them for this affectionate homage. The earlier queens of England were “carefully educated,” solidly grounded “in all the learning of the time ;” their accomplishments and relaxations were of a grandeur befitting their station ; they delighted in architecture ; the arts found in them munificent patrons : even the needlework, in which they greatly excelled, partook of this lofty character. The Bayeux tapestry, worked by the wife of the Conqueror, was an epic poem done in needlework, being a complete representation of all the incidents of her husband's conquest of England.

“It is a piece of canvass, about nineteen inches in breadth, but upwards of sixty-seven yards in length, on which is embroidered the history of the Conquest of England by William of Normandy, commencing with the visit of Harold to the Norman Court, and ending with his death at the Battle of Hastings, 1066.

"The leading transactions of these eventful years, the death of Edward the Confessor, and the coronation of Harold, in the chamber of the royal dead, are represented in the clearest and most regular order in this piece of needlework, which contains many hundred figures of men, horses, birds, beasts, trees, houses, castles, and churches, all executed in their proper colours, with names and inscriptions over them to elucidate the story."—vol. i. p. 57.

Their charities were upon a scale of munificence—their devotions frequent and continual. Even the "fair Provençal queens" (as our authoress in her somewhat flowery style delights to designate them), if they in the commencement of their career showed somewhat plainly the influence of a softening education and climate, yet proved that they had that innate vigour of mind which can extract the "precious uses" of adversity.

We see with great pleasure some of these illustrious ladies vindicated from the calumnies of the writers of fiction, who as Celia says, "simply misused" the sex in their versions of history. We cannot imagine why Sir Walter Scott in the *Crusaders*, has chosen to represent the wife of King Richard as a silly, trifling girl, and Edith, of whose connexion with Richard he seems not well aware, as a haughty, pedantic shrew. Above all, why he should have devoted many of his most lively passages to a description of the petty quarrels between the relatives. Now, Berengaria was no longer a girl when Richard married her; of a noble character and style of beauty (if we may trust the accuracy of her portrait), and between her and the Princess Joanna, Richard's sister, there existed a steady and tender friendship worthy the exalted character of both. Here, then, is a sad sacrifice of real beauty to effect, easily produced by bringing together all the violent contrasts that can be crowded on to the scene. There is more of truth in his delineation of Margaret of Anjou; but he has given a character of selfishness in her, and of weakness in the old saint-like king, her father, in the negotiations for the cession of Provence, by no means warranted by history, disagreeable in themselves, and of no use to the story, except to introduce those farcical scenes between Margaret and her father, by which Scott has in fact destroyed the poetry of as interesting a passage as can be found in history,—the retirement of the heroic and unfortunate queen to the father, whose love for her was expressed not only by his actions but by his tender sympathy. "My child," he writes, "may God help thee with his counsels, for rarely is the aid of man tendered in such reverse of

fortune. When you can spare a thought from your own sufferings, think of mine—they are great, my daughter, yet would I console thee.”—(Vol. iii. p. 354.)

Indeed, Queen Margaret has especial reason to complain of the treatment she has received from posterity; since even Shakspeare, usually so alive to moral beauty, destroys the only excuse that could have been offered for Queen Margaret’s cruelties—her devoted affection for her helpless husband and her infant son—by representing her as the paramour of Suffolk, who was in truth an attached husband, and a grey-headed soldier, old enough almost to have been the grandfather of the innocent girl of fifteen whom he brought over to her husband. The unhappy Anne of Warwick has been even more grossly and more unaccountably traduced; but we have not space to point out the many instances in which truth is more beautiful, more poetical, than fiction.

It is much to be lamented that Miss Strickland is not a Catholic,—we say this not in reproach—for in touching upon religious subjects she shows a gentle, and in general, a liberal spirit: but had she been a Catholic, how admirably might she have availed herself of the opportunity afforded by her subject for tracing the influence of the Catholic faith upon the minds and manners of the age,—and there could not be a better one than is offered by this domestic history; for in the middle ages men were certainly an “out-spoken race;” their crimes and their virtues were all strongly and boldly defined; it needed no deceptive investigation of hidden motives to enable us to assign them their true character. Of these heroic heroes and heroines, we may truly say that there was no ambiguity, and just as little secrecy; the principle of concealment, which under different names and forms has so long chilled modern society, did not exist. The kings of England with their courts appear to have lived in public—the blended humility and magnificence of their devotions, their loves and their quarrels and fierce revenges, their joys and sorrows, were all shared and sympathised in by their subjects. The barons of Edward II “sat on the green hill side to ransack the baggage of the luckless Gaveston, where they found many of the crown jewels, some articles of gold and silver plate belonging to the king, and a great number of precious ornaments which had been presented to the king by Queen Isabella, his married sisters, and other persons of high rank.”—(Vol. ii. p. 220.)

The particulars of the king’s property they were doubtless well acquainted with, all the wants of the royal household being

propounded to them with perfect explicitness. The following passage is but one instance out of many.

“ Edward, by the grace of God, &c.

“ We command that ye provide sixteen pieces of cloth for the apparelling of ourselves and our dear companion ; also furs against the next feast of Christmas, and thirteen pieces of cloth for corsets for our said companion and her danisels, with naping linen, and other things of which we stand in need against the said feast ; requiring you to assign to William Cassonces, the clerk of our wardrobe, 115*l.* in such manner as may obtain prompt payment of the same for this purpose.”—vol. ii. p. 234.

Some of the entries were marvellously unedifying, as, for instance,

“ Robert de Vaux gave five of his best palfreys, that the king (John) might hold his tongue about Henry Pinel’s wife.”—vol. ii. p. 54.

The virtue of silence was profitable in those days.

“ To the Bishop of Winchester is given one tun of good wine, for not putting the king in mind to give a girdle to the Countess of Albemarle.”—Ibid.

The record of their charities was kept with a like simplicity, and a voluminous one it seems to have been. How much of their lives too was spent in public, and with what boldness did they admit the merest populace as spectators of their vengeance !

“ King John insulted Count Hugh, the unfortunate lover of his queen, with every species of personal indignity, carrying him and the insurgent barons of Poitou after him wherever he went, ‘chained hand and foot, in tumbril carts, drawn by oxen, a mode of travelling,’ says the Provençal chronicler very pathetically, ‘to which they were not accustomed.’ In this manner he dragged them after him, till they all embarked with him for England.”—vol. ii. p. 46.

“ The ‘she-wolf of France’ caused Sir Hugh Despencer to be fastened on the poorest and smallest horse that could be found, clothed with a tabard, such as he was accustomed to wear, that is with his arms, and the arms of Clare of Gloucester, in right of his wife, emblazoned on his surcoat, or dress of state. Thus was he led in derision in the suite of the queen, through all the towns they passed, where he was announced by trumpets and cymbals, by way of greater mockery, till they reached Hereford.”—vol. ii. p. 264.

And, more deplorable still, many of the bitterest insults to the unhappy King Edward were offered “in the open fields.” To counterbalance these odious exhibitions, their progresses, tournaments, festivals, pilgrimages, all were public, and were shared with the people. We cannot but think that much of

the loyalty of those days, and of the patience with which a warlike, and not very enduring race of men put up with freaks which appear to us downright insupportable, must have arisen from the hearty frankness with which their feelings, good or bad, were appealed to.

The disputes between the people and their princes have all the air of family quarrels, and amidst wrangling and something very like downright mutual abuse, occur reconciliations quite as hearty and sincere. Eleanor (the Queen of Henry III) was perpetually disputing with the citizens of London,—her incessant demands for money exceeding all their patience and liberality; but this wrangling did not hinder her from keeping her festivals in great state and gaiety amongst them, and even making them pay for her unwonted fits of economy, by inviting herself and her friends to dine with the rich citizens. At last the good citizens became so tired, that they pelted the queen down the river and out of the town; for which civility her gallant son, Edward I, afterwards made them pay a pelting fine. Upon the whole the lady had the best of the battle; however, in their last dispute with the queen (who had obtained the custody of London bridge), King Edward took their part in the quarrel, and upon receiving their complaint, that “the said lady queen taketh all the tolls, and careth not how the bridge is kept” (vol. ii. p. 187), put a stop to his mother’s rapacious proceedings. We suspect that the joy of the triumph would incline them to forgive her, in true John Bull fashion, her many offences; if not then, at least their resentment would be forgotten when shortly afterwards the gay queen laid aside her faults, and follies, and luxurious tastes, to embrace a holy religious life in a convent, where she died, impressing with her last breath lessons of pardon and peace upon her son. One account of a reconciliation between Richard II and his good citizens of London, is so amusing and characteristic, that we must be pardoned for extracting the whole of it.

“The Queen’s good offices as a mediator were required in the year 1392 to compose a serious difference between Richard II and the city of London. Richard had asked a loan of a thousand pounds from the citizens, which they peremptorily refused. An Italian merchant offered the King the sum required, upon which the citizens raised a tumult, and tore the unfortunate loan-lender to pieces. This outrage being followed by a riot attended with bloodshed, Richard declared ‘that as the city did not keep his peace, he should resume her charters,’ and actually removed the courts of law to

York. In distress, the city applied to Queen Anne to mediate for them. Fortunately, Richard had no other favourite at that time than his peace-loving queen, ‘who was,’ say the ancient historians, ‘very precious to the nation, being continually doing some good to the people; and she deserved a much larger dower than the sum settled upon her, which only amounted to four thousand five hundred pounds per annum.’

“The manner in which Queen Anne pacified Richard, is preserved in a Latin chronicle poem, written by Richard Maydeston, an eye-witness of the scene; he was a priest attached to the court, and in favour with Richard and the Queen.

“Through the private intercession of the Queen, the King consented to pass through the city on his way from Shene to Westminster palace, on the 29th of August.

“When they arrived at Southwark the Queen assumed her crown, which she wore during the whole procession through London: it was blazing with various gems of the choicest kinds; her dress was likewise studded with precious stones, and she wore a rick carcanet about her neck; she appeared, according to the taste of Maydeston, ‘fairest among the fair,’ and from the benign humility of her gracious countenance, the anxious citizens gathered hopes that she would succeed in pacifying the King. During the entry of the royal pair into the city, they rode at some distance from each other. At the first bridge-tower the King and Queen were met by the Lord Mayor and other authorities, followed by a vast concourse of men, women, and children, every artificer bearing some symbol of his craft. Before the Southwark bridge-gate the King was presented with a pair of fair white steeds, trapped with gold cloth, figured with red and white, and hung full of silver bells. ‘Steeds such as Cæsar might have been pleased to yoke to his car.’

“Queen Anne then arrived with her train, when the Lord Mayor Venner presented her with a small white palfrey, exquisitely trained for her own riding. The Lord Mayor commenced a long speech with these words:

“‘O generous offspring of imperial blood, whom God hath destined worthily to sway the sceptre as consort of our King,’

“He then proceeds to hint that mercy and not rigour best become the queenly station, and that gentle ladies had great influence with their loving lords; then entering into the merits of the palfrey, he commended its beauty, its docility, and the convenience of its ambling paces, and the magnificence of its purple housings. After the animal had been graciously accepted by the Queen, she passed over the bridge and came to the bridge-portal on the city side; but some of her maids of honour, who were following her in two wagons or charrettes, were not so fortunate in their progress over the bridge.

“Old London bridge was, in the fourteenth century and for some ages after, no such easy defile for a large influx of people to pass through: though not then encroached upon by houses and shops,

it was encumbered by fortifications and barricades, which guarded the drawbridge towers in the centre, and the bridge-gate towers at each end. In this instance the multitudes pouring out of the city to get a view of the Queen and her train, meeting the crowds following the royal procession, the throngs pressed on each other so tumultuously, that one of the charrettes containing the Queen's ladies was overturned,—lady rolled upon lady, all being sadly discomposed in the upset; and, what was worse, nothing could restrain the laughter of the rude plebeian artificers; at last the equipage was righted, the discomfited damsels replaced, and their charrette resumed its place in the procession. But such a reverse of horned caps did not happen without serious inconveniences to the wearers, as Maydeston very minutely particularises.

"As the King and Queen passed through the city, the principal thoroughfares were hung with gold cloth and silver tissue, and tapestry of silk and gold. When they approached the conduit in Cheapside, red and white wine played from the spouts of a tower erected against it; the royal pair were served 'with rosy wine smiling in golden cups,' and an angel flew down in a cloud and presented to the King, and then to the Queen, rich gold circlets worth several hundred pounds. Another conduit of wine played at St. Paul's eastern gate, where was stationed a band of antique musical instruments, whose names alone would astound modern musical ears. There were persons playing on tympanies, mono-chords, cymbals, psalteries, and lyres; zambucas, citherns, situlas, horns, and viols. Our learned Latinist dwells with much unction on the symphonous chords produced by these instruments, which, he says, 'wrapt all hearers in a kind of stupor.' No wonder!

"At the monastery of St. Paul's the King and Queen alighted from their steeds, and passed through the cathedral on foot, in order to pay their offerings at the holy sepulchre of St. Erkenwald. At the western gate they remounted their horses, and proceeded to the Ludgate. There, just above the river bridge (which river, we beg to remind our readers, was that delicious stream, now called Fleet ditch), was perched a celestial band of spirits, who saluted the royal personages, as they passed the Flete Bridge, with enchanting singing and sweet psalmody, making withal a pleasant fume by swinging incense pots; they likewise scattered fragrant flowers on the King and Queen as they severally passed the bridge.

"And if the odours of that civic stream the Flete at that time, by any means rivalled those which pertained to it at present, every one must own that a fumigation was appointed there with great judgment.

"At the Temple barrier above the gate was the representation of a desert, inhabited by all manner of animals, mixed with reptiles and monstrous worms, or, at least, by their resemblances; in the background was a forest; amidst the concourse of beasts, was seated the holy Baptist John, pointing with his finger to an Agnus Dei.

After the King had halted to view this scene, his attention was struck by the figure of St. John, for whom he had a peculiar devotion, when an angel descended from above the wilderness, bearing in his hands a splendid gift, which was a tablet studded with gems fit for any altar, with the crucifixion embossed thereon. 'The King took it in his hand and said, 'Peace to this city; for the sake of Christ, his mother, and my patron St. John, I forgive every offence.'

"Then the King continued his progress towards his palace, and the Queen arrived opposite to the desert and St. John, when Lord Mayor Venner presented her with another tablet, likewise representing the crucifixion. He commenced his speech with these words:

"'Illustrious daughter of imperial parents, Anne (a name in Hebrew signifying grace, and which was borne by her who was the mother of Christ), mindful of your race and name, intercede for us to the King; and as often as you see this tablet think of our city and speak in our favour.'

"Upon which the Queen graciously accepted the dutiful offering of the city, saying, with the emphatic brevity of a good wife who knew her influence, 'Leave all to me.'

"By this time the King had arrived at his palace at Westminster, the great hall of which was ornamented with hangings more splendid than the pen can describe. Richard's throne was prepared upon the King's Bench, which royal tribunal he ascended, sceptre in hand, and sat in great Majesty, when the Queen and the rest of the procession entered the hall.

The Queen was followed by her maiden train. When she approached the King she knelt down at his feet, and so did all her ladies. The King hastened to raise her, asking,

"'What would Anna?—declare, and your request shall be granted.'

"The Queen's answer is perhaps a fair specimen of the way in which she obtained her empire over the weak but affectionate mind of Richard; more honeyed words than the following, female blandishment could scarcely devise.

"'Sweet,' she replied, 'my king, my spouse, my light, my life! Sweet love, without whose life mine would be but death! Be pleased to govern your citizens as a gracious lord. Consider, even to-day, how munificent their treatment! What worship, what honour, what splendid public duty, have they at great cost paid to thee, revered King! Like us, they are but mortal, and liable to frailty. Far from thy memory, my King, my sweet love, be their offences, and for their pardon I supplicate, kneeling thus lowly on the ground.'

"Then, after some mention of Brutus and Arthur, ancient Kings of Britain, which no doubt are interpolated flourishes of good Master Maydeston, the Queen concludes her supplication by requesting 'that the King would please to restore to these worthy and penitent plebeians their ancient charters and liberties.'

"'Be satisfied, dearest wife,' the King answered, 'loth should we

be to deny thee any reasonable request of thine! Meantime ascend and sit beside me on my throne, while I speak a few words to my people.'

"He seated the gentle Queen beside him on the throne. The King then spoke, and all listened in silence, both high and low. He addressed the Lord Mayor:

"'I will restore to you my royal favour as in former days, for I duly prize the expense which you have incurred, the presents you have made me, and the prayers of the Queen. Do you henceforward avoid offence to your sovereign and disrespect to his nobles. Preserve the ancient faith; despise the new doctrines unknown to your fathers; defend the Catholic Church, the whole Church, for there is no order of men in it that is not dedicated to the worship of God. Take back the key and sword; keep my peace in your city, rule its inhabitants as formerly, and be among them my representative.'"—vol. ii. 373-9.

In this, as in a hundred other such anecdotes, it will be a great delight to a Catholic to trace the control held by the Church over the rough, free manners of our ancestors, mingling with every incident of their lives and deaths. She surrounded them with her ameliorative influence, and laid in wait to catch, at their rebound, the passionate and powerful beings that must otherwise have been wholly lost by their self-will. It is a curious study, too, to mark how exquisitely (humanly speaking) the Catholic Church was fitted for such a mission,—a study fraught with encouragement to every Catholic, and which may teach us faith in the resources of our Church, in her struggle with the varying evils of human society in this as in each successive age. In the work before us, there are ample materials for such a study; it is full of curious and useful information, and delightfully entertaining. Miss Strickland tells us in her preface, that "the personal histories of the Anglo-Norman, and several of the Plantagenet Queens, are involved in such great obscurity, that it has cost years of patient research among English and foreign chronicles, ancient records, antiquarian literature, and collateral sources of information of various kinds, to trace out the events of their lives from the cradle to the grave."—vol. i. p. 12. She acknowledges her obligations to "the courteous attention" of various heralds, and a long list of noble and learned friends to whose libraries and MSS. she has had access. To Mr. Howard of Corby and his son, whose ancestress Queen Adelicia, is one of the most beautiful and perfect lives in the series, she is especially indebted; and her thanks for assistance received in searching the British Museum, the Bibliothèque Royale, the

Augmentation Record Office, and the documents of the Camden Society, show the various and copious sources from which she has derived her information; of the variety and extent of which we can give no idea. Upon her London readers she has conferred obligation by connecting many fine old stories and scenes with the seldom-visited monuments of their city.

How many of them are aware that such beautiful remnants of domestic antiquity exist as these which the authoress tells us she was admitted to view, by "the courteous permission of the Rev. Henry Milman."

"The apartments of the abbot of Westminster are nearly in the same state, at the present hour, as when they received Elizabeth and her train of young princesses. The noble stone-hall, now used as a dining-room by the students of Westminster school, was, doubtless, the place where Elizabeth seated herself in her despair '*alone on the rushes, all desolate and dismayed.*' Still may be seen the circular hearth in the midst of the hall, and the remains of a louvre in the roof, at which such portions of smoke as chose to leave the room departed. But the merry month of May was entered when Elizabeth took refuge there, and round about the hearth were arranged branches and flowers, while the stone floor was strewn with green rushes. At the end of the hall is oak panelling latticed at top, with doors leading by winding stone stairs to the most curious nests of little rooms that the eye of antiquarian ever looked upon. These were, and still are, the private apartments of the dignitaries of the abbey, where all offices of buttery, kitchen, and laundry, are performed under many a quaint gothic arch, in some places even at present rich with antique corbel and foliage. This range, so interesting as a specimen of the domestic usages of the middle ages, terminates in the abbot's own sanctum or private sitting-room, which still looks down on his lovely quiet flower-garden. Nor must the passage be forgotten, leading from this room to the corridor, furnished with lattices, now remaining, where the abbot might, unseen, be witness of the conduct of his monks in the great hall below. Communicating with these are the state apartments of the royal abbey, larger in dimensions and more costly in ornament, richly dight with painted glass and fluted oak panelling. Among these may be noted especially the organ room, and the antechamber to the great Jerusalem-chamber,—which last was the abbot's state reception-room, and retains to this day its gothic window of painted glass of exquisite workmanship, its curious tapestry, and fine original oil portrait of Richard II."—vol. iii. p. 409-10.

The same accuracy with which Miss Strickland has verified the scenes of the incidents she records, she has carried into the narrative itself. Minute particulars, fragments of verses, letters, &c., are preserved, which are beautiful in themselves,

and carry the mind back forcibly to those ancient times. Some of the verses are most grotesque, others very elegant, especially the following nearly literal translation (in which the authoress acknowledges her obligation to Mr. P. H. Howard) of a hymn to King Henry VI, which has much of the force and fervour of our finest church compositions.

“ ‘ SALVE, MILES PRECIOSE.

“ ‘ Hail, Henry, soldier of the Lord !  
In whom all precious gifts accord,  
Branch of the heavenly vine ;  
Rooted in charity and love ;  
Serenely blooming as above,  
The saints angelic shine.

“ ‘ Hail, flower of true nobility !  
Honour, and praise, and dignity,  
Adorn thy diadem ;  
Meek father of the fatherless,  
Thy people’s succour in distress ;  
The church’s strength and gem.

“ ‘ Hail, pious king, in whom we see  
The graces of humility  
With spotless goodness crown’d ;  
By sorrow stricken and oppress’d ;  
To those who vainly sigh for rest,  
Mirror of patience found.

“ ‘ Hail, beacon of celestial light,  
Whose beams may guide our steps aright,  
Thy blessed course to trace ;  
In virtue’s paths for ever seen,  
Mild, and ineffably serene,  
Radiant with every grace.

“ ‘ Hail, whom the King of endless time  
Hath called to angel choirs sublime,  
In realms for ever blessed ;  
May we, who now admiring raise  
These all-unworthy notes of praise,  
Share in thy glorious rest.’ ”—vol. iii. p. 351-2.

Miss Strickland’s style of writing is most agreeable : it is graceful, occasionally arch, but has at all times a warmth and earnestness which shows the authoress to be fully impressed with the noble character of the work she has undertaken.

“ ‘ Facts, not opinions,’ should be the motto of every candid historian ; and it is a sacred duty to assert nothing lightly, or without good evidence, of those who can no longer answer for themselves. I have borne in mind the charge which prefaces the jurymen’s oath,

—it runs as follows:—‘ You shall truly and justly try this cause; you shall present no one from malice; you shall excuse no one from favour,’ &c. &c.

“ Feeling myself thus charged, by each and every one of the buried Queens of England whose actions, *from the cradle to the tomb*, I was about to lay before the public, I considered the responsibility of the task, rather than the necessity of expediting the publication of the work. The number of authorities required, some of which could not be obtained in England, and the deep research among the Norman, Provençal, French and monastic Latin chroniclers, that was indispensably necessary, made it impossible to hurry out a work which I hoped to render permanently useful.”—vol. i. p. x.

Unhappily, in the second series, she will have quitted the sphere of the “ Norman, Provençal, French, and monastic Latin chroniclers,” for the cold dry records of diplomacy and intrigue; already we feel that the age of poetry and chivalrous sentiments is passing away; we are aware beforehand of the influence of those cruel and convulsive times—times of evil men and evil passions, from which we are emerging after a mortal struggle. Yet this part of the work will possess an interest of its own: many minor historical points will, we doubt not, be cleared up; many characters placed in a truer light by Miss Strickland’s patient accuracy. Let her but preserve the same spirit of truthfulness, without fear or favour, and her work, while it will be eagerly read by all parties, will (we doubt not) afford to Catholics many an answer to old charges, many a solace for ungenerous calamities. That Miss Strickland, whatever be her peculiar views, is inclined to do strict justice, we need give no other proof than that she has submitted her work to the criticism of the most learned, impartial, and accurate historian of our own, or perhaps any other country; and has thus given a guaranty to the public which must raise her high in the rank of historians.

#### ART. X.—*The Quarterly Review* for Dec. 1840.

OUR readers will recollect that in our previous article on this subject, in the last number of the *Dublin Review*,\* we concluded our exposure of the shameless and almost incredible falsehoods, and self-contradictions, of the article called “ Romanism in Ireland,” by citing a passage in which the writer of that article declared (p. 165 of the *Quarterly Review*) that, “in the kindness of the Irish landlords, much *abused* and

\* *Ante*, p. 184.

*calumniated* as they were, there was *every thing to keep the peasantry quiet!*" The reader will also recollect, that in answer to a falsehood so flagrant and so foolish, we adduced the authority of Mr. John Wilson Croker, of the *Times* newspaper, and of Mr. Sadler of Leeds, to show that such misery as was inflicted by the Irish landlords upon the peasantry of that country was unprecedented upon the face of the earth, in degree and amount; and that we finally wound up this part of the case by shewing that the *Quarterly Review* itself, in another place, charged these identical Irish landlords—not those of a bye-gone, but those of the present generation—with "EXTORTING *unheard-of pecuniary rents from a destitute tenantry*—rents which were only paid by the exportation of the great bulk of the food raised in the country, leaving to the actual cultivator a bare subsistence upon potatoes, *eked out with weeds.*" The reader will also recollect that the passage in the *Quarterly Review* from which this last extract was taken, concluded by ridiculing the absurdity of expecting that the miserable population of Ireland should respect and obey a system of laws, which invested the landlords with the "power of sweeping off, to other lands, *the whole produce of the people's industry*, and *absolutely starving* the wretched natives who produced it." It may appear to be a mere waste of time to bestow any further notice upon an article which seems to be a mere compost of malignity, imbecility, falsehood, fatuity, and the very dregs and lees of ignorance itself. Having, however, undertaken the task, we shall persevere in the disgusting occupation of presenting to the reader some more specimens of a composition, which, for the union of almost all descriptions of baseness, we believe to be unparalleled in any department of literature making any pretensions to any degree of respectability.

Such persons as have done us the honour to peruse our previous article upon this subject, will, no doubt, have been sufficiently astonished at the statements and inferences of the *Quarterly Review* for December 1840, upon the conduct and character of the landlords and peasantry of Ireland. Something even yet more extraordinary remains, however, to be told. In page 164, the reviewer expresses himself, upon the same subject, in the following words:—

"Patience under suffering, however acute, is a characteristic of the Irish peasantry. How, then, can the attribution of these outrages to disputes about land be reconciled with another fact so often, we *hope and believe!* so *calumniously urged* against the Irish landlords,

that they are ejecting their tenants by hundreds. If the peasantry are so ready to revenge such ejections with blood, and can do it without fear of conviction, how is it that any of these landlords are still alive?"

When Lord Moira, in the Irish House of Lords, enumerated some of the horrible cruelties and oppressions which were inflicted upon the population, for the purpose of driving them into the rebellion, which afterwards resulted, a noble lord connected with the government attempted to throw discredit upon the statement, by saying that if it were true, the people would have resented and resisted. The "resentment," which always existed, was in due time followed by the "resistance," which was required by the minister for the satisfactory formation of his opinion, and for other purposes of greater importance. Upon the principle implied in this denial of the minister, the writer in the *Quarterly* must wait for an insurrection before he can be convinced of the reality of the occurrences, the actual existence of which there is no more reason for doubting than for doubting the wetness of the Atlantic Ocean. We must acknowledge that we ourselves were always as much astonished as the *Quarterly Reviewer* seems to be at the *small proportion* which the outrages committed by the peasantry of Ireland bore to the boundless extent and horrible character of the cruelties which had been continually inflicted upon them by the magistracy, the landlords, and, until a very recent period, by the government of that country. The *Quarterly Reviewer* intimates his opinion to be, that if the statements upon the subject of ejectment were true, all the guilty landlords would have been absolutely exterminated, as the appropriate consequence of "grinding the peasantry to powder," as they were charged with doing by Lord Clare to their own faces, in the Irish legislature. As it happens, however, that some of the landlords are "still alive," an event which, according to the reviewer, could not be the fact if the charges against them were true, he coolly infers that the charges are false and calumnious, and has the forehead to assert, in express terms, (p. 153) that "the landlords do not eject!" If the gentleman who makes this assertion had been alive at the period of the general deluge, he would not have made much ceremony about crying out Fire! whilst the world was drowning. The evidence which we have already adduced as to the causes of outrages in Ireland, is abundantly sufficient to show, in a general way, the extent to which the work of devastation by ejectment is carried, and has been since the close of the war. We shall, how-

ever, produce a few additional passages having an immediate connexion with this particular point. But as it would be an infinite labour to refute individually all the falsehoods which the article contains, and as many passages of the evidence which we have to produce contain each in itself an answer to several statements of the reviewer, it may be as well to insert in this place the following extract from the article, in which, taking the ejectments for granted, after having denied their existence, he modulates the strain into another key.

"Are they" (the expelled tenantry) "provided with *other abodes*, with *pecuniary assistance*, or means of emigration? Is this a *remarkable branch* of those Irish *delusions* which some secret power is endeavouring to fasten on the English people, that their sympathies and energies may not be awakened towards the Protestants of Ireland until it is too late."—p. 153.

In answer to these enormous allegations, we cannot do better than copy the following passage from the *Monthly Chronicle* for Sept. 1840; as we can vouch for the perfect accuracy of all the statements which it contains.

"The process of extermination commenced after the conclusion of the war, but was infinitely aggravated by the passing of the Emancipation Act of 1829; after which 'the gentlemen *began to clear their estates* of the forty-shilling freeholders, who had been '*done away with*' by the Act.'\* For notwithstanding the depression produced by the peace, and notwithstanding the theories of consolidation, increased produce, and surplus population, the wretched serfs who still possessed the power to vote according to the direction of their lords at a county election, were allowed to linger in possession of their little holdings, and the imagined loss which resulted from suspending the extermination system, was compensated by the patronage derived from political importance. The propagation of these poor creatures had, as every body in Ireland knows, been preternaturally stimulated from 1793 to 1815. 'All,' says Mr. Bicheno, 'that the landlord looks at in Ireland is the quantity of rent which he can abstract from the tenant.'† He therefore encourages a redundant population *until the rents are no longer increased by competition*. Upon arriving at that point the rents are diminished, and then he has an inducement to 'clear the land and increase the extent of the holdings.'‡ This consideration of increasing rent operated from 1793 to 1815, in conjunction with the political importance derived from the number of freeholders. But the population at the close of the war, had, in the opinion of the landlords, arrived at the point where the rents begin to diminish. The people were still, however, until 1829, worth keeping in existence for

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\* Evidence of Lord Donoughmore before the Roden Committee, No. 1277.

+ Evidence, H. C. 1830. No. 4237,

† Ibid. 4240.

the purposes of the hustings; but as soon as they were deprived of the elective franchise, by the Emancipation Act, the only remaining barrier between them and destruction was removed, and they were swept out like vermin, with as little compunction and as extensive devastation.

"The only returns upon this subject to which we can conveniently refer at this instant, are those given in the Appendix H. to the Report on the Poor Inquiry, pp. 11, 12. From these it appears that in the six years previous to 1833, ejectment processes were entered in seventeen counties, against *thirty-one thousand and odd* defendants. If we assume that each of these defendants represented a family of six persons, making altogether *an hundred and eighty-six thousand*; and recollect that these counties, with the exception of the county of Cork, were *the smallest* counties in Ireland,—we shall have a tolerable notion of the extent to which this system of depopulation is carried. No returns had been made from Leitrim, Roscommon, Dublin, Kildare, Westmeath, Wexford, Kerry, Limerick, Tipperary, Waterford, Antrim, Armagh, and Tyrone; and the number of defendants for Galway and Wicklow were not given. With regard, however, to the county of Tipperary, which forms so prominent an object in every inquiry of this nature, we have, from the testimony given before the Roden Committee, sufficient evidence to shew the real state of the case. When the Tipperary landlords requested Lord Mulgrave to favour them with larger means than they actually possessed for exterminating their own tenantry with less trouble and more security to the perpetrators, the Lord-Lieutenant directed Mr. Drummond to return that celebrated answer to which we have already adverted in our Number for July. The letter is in No. 12,027 of the original Evidence, and in page 86 of the Digested Abstract published by the Messrs. Longman. The letter alleged that the wholesale expulsion of cottier tenants in Tipperary, was the principal cause of the disturbances in that county. This proposition involves two statements: first, that there was a wholesale expulsion of tenants; and secondly, that such expulsion was the cause of the outrages which occurred. To disprove the statement of Mr. Drummond, Lord Donoughmore, the Lord-Lieutenant of the county, was called; and he, 'swearing by the card,' stated plumply that the assertion of Mr. Drummond concerning the *wholesale* expulsion was false. Mr. Howley, the chairman or assistant barrister of the county, was called to support the statement of Mr. Drummond; and he said, that *he was ready to mention the names of the persons* to whom the wholesale expulsion was attributed. The committee refused to hear the statement, and directed him to withdraw; and upon his return refused to allow the question to be repeated. In answer to other questions he says, (No. 9991-2), that 'from conferences which he had with the other assistant barristers, he found that ejectments at sessions were *more numerous in Tipperary than in any other county*, and that he himself has had *more than 150* of them at *one QUARTER sessions*:' the 150 defendants representing

about 900 individuals. He adds (9974), 'that a great many other ejectments were also brought before the superior courts,' but how many he does not seem to have known. Lord Donoughmore himself states (12,073, Abstract page 8), that 'many landlords in Tipperary have been ejecting their tenants for the last nine or ten years;' and (*ibid.*) that 'the gentlemen began clearing their estates of the forty shilling freeholders when they had been done away with by the Emancipation Act.' His Lordship denies in terms that the expulsion of the tenantry by the landlords was *wholesale*. We know not what meaning Mr. Drummond and Lord Donoughmore may have severally annexed in their own minds to this term, neither do we know, nor, as we believe, does any one else know very exactly, what precise meaning it *ought* to bear in the case. But even supposing that there is some inaccuracy in the use of the word, and that the Tipperary gentlemen are not rightly designated as 'wholesale' exterminators, we think that from the evidence of Lord Donoughmore himself, it is perfectly clear that they do a very considerable amount of business in the *retail* department. A tolerably accurate idea may be formed in other ways of the extent of the proceeding. Mr. William Kemmis is crown solicitor for the Leinster Circuit, which includes Tipperary. He is also crown solicitor for the County and City of Dublin. He is also the solicitor to the Treasury in Ireland. He has held all the offices for the same time, namely, eight-and-thirty years; and he succeeded his father, who was crown solicitor for all Ireland. He states that for these eight-and-thirty years he has not missed a circuit; and, from the circumstances above enumerated, we suppose it will be easily taken for granted that he is in principle a Conservative at the least, and can have no want of sympathy with the landlords of Tipperary. Now this gentleman states (Abstract, page 9), 'That three-fourths, or MORE, of the crimes committed in Tipperary are produced by the LANDLORDS TURNING THE TENANTS OUT OF POSSESSION.' If there be any truth in the general accounts which we see and hear of the amount of crime in that county, we can easily judge of the extent of the cause from the extent of the effect—of the amount of the ejectments from the amount of the outrages.

"Lord Powerscourt gives us, in page 127 of his pamphlet (*The Merits of the Whigs*), the following extract of a speech delivered by the Very Reverend Mr. Laffan, at a dinner in Thurles, where Lord Lismore presided, in November 1838:—

"There is no man who abhors the crime of murder more than I do; but I know that those murders and outrages are the offspring of oppression. I can tell your lordship that there are savages in broad-cloth as well as in frieze. It may not be believed by men like your lordship, who have kindly hearts in their bosoms; but what would your lordship think of the man that would go to the cabin, and turn out a woman who was ON THE EVE OF CHILDBIRTH, and who afterwards WAS DELIVERED IN THE OPEN AIR! What, my

*lord, must be the feelings of the husband of that poor woman? Such scenes, my lord, are NOT OF UNFREQUENT OCCURRENCE in this county.*

"This statement was addressed at a public meeting in Tipperary to a landlord residing in that county, who must be taken to have assented to the truth of the assertion, and who probably had cognizance of the fact; whilst Lord Powerscourt himself does not go through even the form of expressing his own disbelief in the correctness of the statement.

"The following are a few instances of the cause and of the effect in other counties.

"The Rev. Michael Keogh states that 174 families were ejected by one landlord, Mr. Cosby.\* Mr. Cahill, civil engineer, mentions 1126 persons as being evicted in another place.† *A great many of them died of hunger.*‡ 'On Mr. Cassan's estate a great many were ejected. On Mr. Johnson's estates thirty-four families. Dr. Doxay ejected a few. Mr. Roe ejected some, as did many others whom I don't recollect. They scattered themselves throughout the county, *carrying discontent wherever they went.* I am convinced that this was the cause of the disturbances. *They first began upon Mr. Cosby's estate.*'§ We don't exactly know the situation of these properties—they probably were in the Queen's County. Of the disturbances in that county, Mr. Robert Cassidy says in his evidence,|| that '*they were caused by the ejection of tenants,* and the generally oppressive conduct of the persons to whom the labouring classes have been subject' &c. An operation of the same kind is described by Mr. Blackburne in the following words: 'Lord Stradbrook's agent, attended by the sheriff and several to assist him, went upon the lands and dispossessed this numerous body of occupants. *They prostrated the houses.* The number of persons thus deprived of their homes was very large. I am sure there were above forty families—persons of all ages and sexes, and in particular, a WOMAN IN THE EXTREMITY OF DEATH!'¶ The agent here mentioned was the Mr. Blood who was subsequently murdered. We can go no farther in the production of individual instances of which the details are so horribly revolting. The extent to which the practice goes on at present, may, in the absence of returns, be inferred from the following extract of a speech delivered by Sir Robert Peel, in the House of Commons, in the very last session, upon the occasion of Mr. Smith O'Brien's motion for a grant of public money to assist the ejected tenantry to emigrate to other countries.

"'It might be correct, according to the principles of political economy, to remove the people from their small holdings, in order to throw their possessions into one large farm. *The giving notice to*

\* Lewis, 80.

+ Lewis, 84.

‡ Ibid.

§ House of Commons, 1832. Lewis, 80, 81.

|| Ibid. 83.

¶ Ibid. 79.

NINETY OR ONE HUNDRED FAMILIES to quit their possession, and then turning them loose upon the world, might be the means of insuring the better management of gentlemen's estates, and might be true according to the principles of political economy; but it was not true according to the dictates of moral principle and Christian duty THAT THE LANDLORDS WERE UNDER NO OBLIGATION TO PROVIDE A SETTLEMENT ELSEWHERE for those whom they had driven from their homes and thrust loose upon the world."\*

"The committee of 1830 state in their First Report (p. 8.), that 'The condition of the tenantry who are ejected in order to promote the consolidation of farms is most deplorable. It would be IMPOSSIBLE FOR LANGUAGE TO CONVEY AN IDEA of the state of distress to which they have been reduced, or of the disease, misery, and vice, which they have propagated in the towns where they have settled. They are obliged to resort to theft and all manner of vice and iniquity to procure subsistence, and A VAST NUMBER OF THEM PERISH OF WANT' (H.C. 1830): after having 'undergone,' as is stated in the same Report (p. 4), 'misery and suffering such as no language can describe, and of which NO CONCEPTION can be formed without actually beholding it!—misery and suffering the remembrance of which prevented Van Raumer from going to sleep, even after his departure from Ireland, and which compelled Mr. Curwen to declare that 'all the waters of oblivion could never wash out the traces which the scenes of woe that he had witnessed in Ireland had impressed upon his mind.'†

"Such is the prospect which the Irish tenant has upon ejectment. What then is he to do in so horrible a conjuncture? Let us hear the indignant eloquencee of the late learned, upright, and independent Judge Fletcher, upon an occasion when one of those wretches was brought before him to be tried for some outrage committed in defence of his own and his family's lives:—

"'What,' exclaimed this noble-hearted patriot,—'what is the wretched peasant to do? Hunted from the spot where he had first drawn his breath—where he had first seen the light of heaven,—incapable of procuring any other means of subsistence,—can we be surprised that, being of unenlightened and uneducated habits, he should rush upon the perpetration of crimes followed by the punishment of the rope and the gibbet? Nothing remains for them THUS HARASSED, THUS DESTITUTE, BUT WITH A STRONG HAND TO DETER THE STRANGER from intruding upon their farms, and to extort from the weakness of their landlords—from whose GRATITUDE and GOOD FEELINGS THEY HAVE FAILED TO WIN IT—a sort of a preference for the ancient tenantry.' "‡

\* "Morning Chronicle," June 16, 1840.

† Observations, vol. ii. p. 255,

‡ Charge delivered to the Grand Jury of the county of Wexford, July 1814, "Pamphleteer," vol. iv. p. 785,

"‘The principle of dispeopling estates,’ says Mr. Baron Foster,\* “is going on in Ireland wherever it can be effected. If your Lordships should ask me *what becomes of the surplus stock of population, it is a matter upon which I have in my late journeys through Ireland ENDEAVoured TO FORM AN OPINION*, and conceive that in many instances they wander about the country as mere mendicants; but that more frequently they betake themselves to the nearest large towns, and there occupy the most wretched hovels in the most miserable outlets, *in the vain hope of getting occasionally a day’s work*. Though this expectation too often is unfounded, it is the only course possible for them to take. Their resort to these towns produces such misery as it is impossible to describe.’”

“Was there ever in the world such a state of affairs? *The DISPEOPLING of estates is going on WHEREVER it can be effected!* That is to say, the people, who have committed no offence except that of coming into existence at the command of nature, are put to death wherever it can be done,—obliged, in the language of a committee of the legislature, above quoted, ‘*to die of want!*’ And the functionary who makes this statement,—one of the Queen’s judges,—a man deeply imbued in the statistics of Ireland, who has been for the greatest part of his life employed in different public capacities, which afforded him the best means of becoming acquainted with the state of the population;—this man, so circumstanced, *does not know how or WHERE the ejected population perishes*. He has been *endeavouring to form an opinion* as to the situation of the national *morgue*; and at last he *conceives* that they perish principally in the towns, after having ‘*suffered such misery as it is impossible to describe.*’”—*Monthly Chron.* No. xxxi. pp. 248-9.

“The following statement is one of the latest which has been made upon the subject, and proceeds from Mr. Smith O’Brien; who, being a landlord and country gentleman himself, cannot be suspected of any want of sympathy with the order to which he belongs.

“‘We know also that, of late years, a very extensive system of ejectment has prevailed in Ireland, in order to effect the consolidation of farms, for the general improvement of estates. *In the great majority of cases, I fear that such ejectment has been WHOLLY UNACCOMPANIED BY ANY CONCURRENT PROVISION FOR THE EJECTED COTTIER.* Nothing can be conceived more truly deplorable than the condition of a person so ejected. From having been the occupier of a few acres of land, *for which he has often paid his rent with the utmost punctuality*, he now becomes a *forlorn outcast*, unable even to procure employment, still less to regain the occupation of land. Is it surprising that a population in such a state should occasionally be tempted to commit acts of violence? What sympathy can they feel with the possessors of property? What, to them, are the ad-

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\* Evid. before Lords’ Committee, 1825.

vantages of law and order? Accordingly, we find that they are often stimulated to do wrong by despair.\*

"A Kerry newspaper, cited in the *Morning Chronicle* of Monday, August 31, 1840, states that one landlord in that county had 'thrown two hundred and thirty-three persons OUT UPON THE ROAD.' The *Dublin Evening Post*, cited in the *Times* of the same date, says that 'there never was greater suffering in that country than exists at present, and that the numbers and wretchedness of the unemployed and destitute were constantly augmenting.' The *Dublin Pilot*, quoted in the *Times* of the same day, says, 'Hunger, downright hunger, pervades the masses of the population, who are driven to the ditches to live upon WEEDS, or rather to die by feeding upon them.' Be these the consequences which flow from the 'exemplary performance of their duties by the landlords?' 'By their fruits ye shall know them.' 'A righteous man,' says the inspired writer, 'regards the life of even his beast.'† But the Irish landlords, in the language of Job, 'cause their naked tenantry to lodge without clothing, so that they have no covering in the cold, and that they are wet with the showers of the mountains, and embrace the rock for want of a shelter.'‡ 'They take away the sheaf from the hungry,—from those who make oil within their walls; and who tread their wine presses, but suffer thirst;§—who fatten their bullocks, but never taste beef; who tend their wheat crops, but never eat bread; who till their potatoes, and are themselves obliged to live upon weeds! Such are the landlords who are the objects of the *Quarterly's* panegyrics—landlords who now, as in the time of Swift, 'sacrifice their oldest tenants to gain a penny an acre,' and who, upon considerations of expediency and convenience to themselves, put the tenants even to death by thousands; who take advantage of the deplorable necessities of the population to extort from them a promise of rents which the whole produce of the land is frequently insufficient to pay; and who, after having, under so diabolical a contract, extracted the last farthing which was attainable by 'squeezing the cabins, clothes, blood, and vitals' of the tenantry, devote them by expulsion to starvation, with as little ceremony, and as little remorse, as a scullion experiences in hunting out a rambling rat."—*Monthly Chronicle*, No. xxxii, pp. 330, 331.

Such are the landlords who are the objects of the eulogy of a person, who, if he have the smallest pretensions to veracity, seems to know no more of Ireland than he does of the science of ethics: landlords who dismiss whole villages full of people at once, turning them adrift in a condition more destitute than that of the beasts of the field; expelling women sometimes *in the act of death*; and sometimes, to the unutterable shame of

\* Speech, H. C. June 2, 1840.

† Job xxiv. 7, 8.

‡ Prov. xii. 10.

§ Ib. 10, 11.

humanity, *in the very act of PARTURITION*! !—who burn the cottages of the labourers—who distrain even the very food\* of the tenants—and who, in the exercise of uncontrollable despotism, have established the very head-quarters of hunger in a country which Bacon described as “endowed with all the dowries of nature.”

The following additional statements upon the conduct of the Irish landlords to the peasantry are extracted at hazard from the “Selections, published in 1835, from the parochial examinations which were made by the Commissioners for enquiring into the condition of the poorer classes in Ireland.” They afford a truly Hibernian evidence of the “kindness” of the Irish landlords to the miserable population, whose very lives are at the disposal of their superiors.

“‘*The poor give ten times as much as the rich in comparison to their means.*’ (Dr Kelly.)

“‘*Persons renting only one acre, and even day-labourers, give relief to the beggar if they have it.*’ (Mr. St. George. Selection, p. 283.)

“‘*The poor farmer often relieves the beggar who has been turned away from the rich man’s door.*’ (p. 292.)

“‘*The witnesses agree that the relief of beggars falls principally upon the middle classes, shopkeepers, small farmers, and even labourers, the very wealthy classes being comparatively exempt.* The poor have free access to the former classes, their doors being always open. Mr. Collins says, the *wealthier country gentlemen are PECULIARLY exempt*, being surrounded by walls and gates.’ (p. 292.)

“‘*In proportion to their means the poor and working classes give THREE TIMES MORE than the rich.* Many of the *gentry will not allow the poor to pass through their gates.* Some of them will give some clothing in winter, but others will scarcely give anything. *Charity is so universal amongst the poor themselves, that the farmers declare that every man who has a potatoe will share it.*’ (p. 314.)

“‘*The relief of the poor falls principally upon the farmers in the country, and the shopkeepers in the town, they being the most easy of access. Even the labourers give.*’ (p. 319.)

“‘*The poorer classes give much to the beggars. Even the labourers give part of their meal and a night’s lodging.* Some farmers give to the extent of 40*l.* a year in food, money, and straw. *The rich have their gate-keepers, and the poor dare not go past them.*’ (p. 325.)

“‘*The witnesses agree that the chief burden of supporting the poor falls upon the class immediately above themselves. The gates,*

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\* “*The food of the tenant is frequently distrained, and his ruin follows, the usual mode which landlords adopt in proceeding to recover their rent.*”—Evidence of George Bennett, Esq., House of Commons, 1824. Lewis, p. 86. Mr. Bennett is a tory, a county judge, and brother-in-law to Mr. Baron Pennefather.

and sometimes the *dogs, of the wealthy secure them* against the intrusion of the beggar. 'I have seen a labourer,' says the Rev. Mr M'Clean, 'who was purchasing meal at a guinea a hundred-weight (eight stone), give a handful of it to a beggar before it left the scale. (p. 336.)

"From the same evidence (page 337), it appears that numerous instances occur where parties in humble circumstances are so charitable, that the profusion of their alms in the beginning of the season obliges them to have recourse themselves to charity for their subsistence in the end.

"'On the *farmers* the support of the poor principally falls. Even the *mere day-labourer*, who has nothing but his cabin, contributes. In all cases the *poor and working classes* give more in proportion than the rich.' (p. 347.)

"'The relief of the poor chiefly falls upon the *farmers* in the country, and upon the *traders* in the towns. Even the *poorest labourers* give something, and are in the habit of *sharing their meals* with the destitute.' (p. 350.)

"'Without doubt the *burden of the poor* falls upon the *small farmers, shopkeepers, and labourers*, because that class are more numerous, and more in the way of being applied to. Even the labourers who have no ground, and are themselves obliged to buy their *potatoes*, never refuse alms. (p. 365.)

"'The evidence is quite clear that the relief of the poor falls CHIEFLY on the middle classes. The struggling *shopkeepers* are most liberal, often to a degree beyond their means. The opulent classes DON'T GIVE IN PROPORTION. (p. 379.)

"'The burthen of maintaining paupers falls most exclusively upon the *farmers in general*. That of maintaining strange paupers upon the *small farmers particularly*. The *gentry by no means contribute* in the same proportion. The Rev. Mr. Chute, a clergyman of the Establishment, expressly says that the *entire onus of supporting the poor* is borne by the *occupiers of land and the shopkeepers*.' (p. 384.)

"'Small farmers and *shopkeepers* are constantly at home, and consequently more acquainted with the wants and destitution of the poor than the higher classes are. The *labouring class* give more in proportion to their means than any class.' (p. 406.)

"'The relief of the destitute falls almost completely upon the *shopkeepers* and *farmers*, who are more exposed than the rich, and more charitably inclined. The *gentlemen* very seldom give halfpence. Some give nothing. Sir Robert gives three pence once a month to each person, and nothing else; the other gentlemen give a halfpenny every Monday. The *farmers* always give something. The *cottiers* fully as much. The *labourers* give freely. The poor three times as much as the rich.' (p. 427.)

"'Those who would give from ostentation, the absentees, are not here to give.' (p. 428.)

"'The resident gentry SCARCELY EVER subscribe regularly. Even

*in seasons of appalling distress, as in 1831 and 1832, there were individuals of large fortunes who DID NOT SUBSCRIBE ONE SHILLING.* (p. 134.)

*“‘ The burthen of supporting the destitute is thrown in times of distress by the affluent gentry upon their poorer but more benevolent neighbours.’* (p. 134.)

*“‘ There is no regular subscription by the gentry, except in a season of great scarcity. All concur in stating that there are but two instances of non-residents who have ever subscribed.’* (p. 144.)

*“‘ The gentry of the neighbourhood do not subscribe for the support of the poor, which is principally defrayed by the middle classes.’* (p. 147.)

*“‘ One absentee draws 10,000*l.* a year from the county, and 7,000*l.* a year from the parish, without contributing a farthing to the support of the poor.’* (p. 147.)

*“‘ In cases of peculiar distress the gentry subscribe. In some instances, absentees living in other parts of Ireland contribute, but absentees living abroad seldom contribute anything.’* (p. 148.)

*“‘ There never has been any subscription among the upper classes, and they in no way contribute to the support of the destitute.’* (p. 157.)

*“‘ The gentry of the neighbourhood don’t subscribe for the relief of the aged and infirm.’* (p. 157.)

*“‘ The gentry—residents—don’t subscribe for the support of the poor. The absentees contribute nothing.’* (p. 158.)

*“‘ The gentry assist the poor only through the Mendicity, and even in this way many refuse to do so, which gives rise to great complaints. In many instances those who subscribe the least are the best able.’* (p. 160.)

*“‘ There is no such thing as a subscription among the gentry to support the infirm through age.’* (p. 162.)

*“‘ Many of the gentry refuse to contribute even to the Mendicity, and thus throw the whole burthen upon their benevolent neighbours. Those that have least, subscribe most. Absentees give little.* (p. 164.)

*“‘ The sick poor of these parishes are totally unprovided for. From their landlords they do not even obtain the assistance of a dispensary to supply them with medicine.’* (p. 179.)

*“‘ The absentee landlords draw about 160,000*l.* a year from the neighbourhood of Tralee (county of Kerry), and of this sum NOT ONE SHILLING is spent in this impoverished neighbourhood.\**

*“‘ In the calamitous summer of 1822, a subscription was made for the relief of the poor of a certain district. The absentee proprietors were applied to. Their incomes amounted to \$3,000*l.* a year, and they subscribed altogether 83*l.*’* (Sadler, p. 67.)

The preceding extracts are taken from a book which is ac-

\* Drs. Barker and Cheyne’s Account of the Fever of Ireland, vol. ii. pp. 98-125.

tually placed by the writer in the *Quarterly*, at the head of an article in which he commends the kindness and generosity of the Irish landlords. The extracts abundantly prove the "quality of the mercy" shown by the proprietors to the peasantry in the rural parts of Ireland.

But although the truth upon this subject is now a matter of pretty general notoriety, it may not be superfluous to add in this place a few more extracts upon the conduct of the Irish landlords to the tenantry and peasantry, in order that the evidence upon the subject may be brought up to the latest possible period. In the late debate upon the subject of the Irish Registration Bills, February 23d, 1841, Lord Stanley observed that "persons having from fifteen to twenty acres of land are generally from April to September in a state of the greatest destitution, living upon potatoes without either milk or meat, and considering themselves very happy if they have dry potatoes enough—men who during a great part of the year lived upon dry potatoes—men whom the *landlords letting their land at a RACK-RENT, may upon ANY DAY, turn loose upon the world to STARVE in the LAST DEGREE OF MISERY.*" How say you, worthy Professor? Will you take Lord Stanley's word for the character and conduct of the Irish landlords? He is himself an Irish landlord to a large extent, and has a residence upon his estates in Tipperary, which he occupies, we believe, for some part of almost every year. He is therefore, perhaps, rather more favourably circumstanced for the attainment of correct information upon the subject, than a person who dwells in a back street in the city of Oxford. Yet Lord Stanley tells you that his brother landlords of Ireland extort such exorbitant rents from their tenants, that a man holding twenty acres of land is in a state of the greatest destitution for about six months in the year, and that the "kind" landlord so effectually "racks" the tenant, that he has it in his power upon *any day in the year* to turn him loose upon the world, and *leave him to STARVE IN THE LAST DEGREE OF MISERY.* Are these the fruits by which the "kindness" of a landlord is exemplified, and the "quietness" of the peasantry secured? If such be the consequences of "benevolence," we should be in a truly hopeful condition if any sentiments of inhumanity should ever unhappily intrude themselves into the gentle bosoms of the landlords of Ireland.

But upon this subject, as indeed upon almost every other part of the case, the completest refutation of the writer in the

*Quarterly* is presented by himself. In the very last number of that publication (for March 1841) he states of those Irish landlords, that they "encouraged the growth of a hostile religion *in order to swell their votes and their rents.*"—p. 558. That is to say, that they encouraged the swarming growth of a pauper peasantry, in order that, to use the language of Swift, they may squeeze their enormous rents out of the clothes, cabins, blood, and vitals "of these miserable wretches, and drive them in herds to the hustings, as cattle are driven to a fair;" totally regardless of the "unutterable miseries," of the "innumerable calamities," which are the inevitable consequence to the population itself. It seems, however, according to the *Quarterly* (*ibid.*), that the landlords are "slowly and partially" becoming sensible of the "folly," as he delicately calls it, of such conduct, "with their *eyes* just *awakening*" to the real state of the case—the eye being "undoubtedly" used *per synecdochē* for the whole landlord himself. The result of this incipient expurgiscence is thus enunciated by the Professor himself in the same article, p. 593: "We have stated, and indeed *the fact is notorious*, that the poor Irish cottier will give for land not only *the utmost penny of its value, but EVEN BEYOND IT*. The rate, therefore, is *no proof* nor measure of his *rent, much less* of his *PROFIT*. He may hold land rated at £5 *on terms which make his bargain WORSE THAN NOTHING.*" This is certainly bad enough: but worse remains to be told, for we are informed in the following page, 594, that if the tenant should double the extent of his holding, he only increases a negative quantity, and that, whereas, under a £5. holding, he must be insolvent—the rent being higher than the produce—"he becomes even less independent by renting a £10 lot." Bishop Berkley stated that some of the Irish landlords in his time had "vulturine beaks with bowels of iron."\* The academical advocate of the landlords of the present day seems inclined to deny the correctness of this description if applied to his own contemporaries, but has most abundantly shown in his little way that their title to the designation is at least as clear as any right which they may have to any other part of their inheritance.

With regard to the metropolis, we are informed (2 Rep. H. C. 1830, p. 61) "that only *one-seventh* of the rich pay to the support of the Mendicity Institution!" According to the same work (page 22) it appears that the Rev. Mortimer

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\* "Word to the Wise." Works, vol. iii. p. 126.

O'Sullivan, and another gentleman, attempted a collection in Merrion Square [the Belgrave Square of Dublin.] "*Those in the best circumstances of all gave NOTHING.* It would surprise the committee," says the witness, Mr. Pierce Mahony, "*to see the number and STATION of the parties who do not contribute.*" From the succeeding passages, it appears that a noble lord, who is the owner of the greatest part of that parish, which includes, we believe, the three principal squares in Dublin, *gave nothing at all.* It may be thought that, for the sake of mere decency, they would exhibit some signs of common humanity, when the voluntary system of sustentation was coming to a close. It appears, however, that the Irish proprietor has, to the last moment, preserved the most complete consistency in his inhumanity.

"Duravit ad imum  
Qualis ab incepto processerat et sibi constat."

For we find upon looking into the Appendix D, p. 166, of the Sixth Annual Report of the Poor Law Commissioners, laid upon the table of both houses of parliament in the last session, "that one ground upon which the imposition of a compulsory rate is viewed with satisfaction by the middle classes (who, up to that period had almost exclusively furnished the means of supporting the poor), was, that up to the very last moment, *all* attempts to obtain subscriptions from those who were not ordinary contributors, that is to say, from six-sevenths of the rich, were looked upon as utterly hopeless." The proprietors of the soil being in fact, generally speaking, the only portion of the community who contributed scarcely anything at all towards the alleviation of the mass of "unutterable misery" (Med. Gazette in the *Times* of Sept. 3, 1840) which they themselves had produced. We could adduce hundreds of other passages in support of the statements which we have made, as to the conduct of the Irish landlords. In fact, the whole of the *authentic* history of the disturbances and outrages in that country is exclusively made up of such materials.

Undismayed by this mass of testimony, which includes *even his own* evidence, the professor proceeds in his very rational attempts to discover the principles of Hibernian outrage amongst the archives of the Propaganda. Working out this very sapient solution, he inquires, page 166, "Are there any circumstances peculiar to Ireland which connect this agrarian movement against the *Sassenach* and the landlord, with the *Popish encroachments?*" and in page 158, we

are told that "the outrages are employed *as much against heresy as against the landlord!*" Those persons who are acquainted with the actual state of affairs in Ireland, may think it unnecessary to take any serious notice of such quintessential nonsense. Let us be excused for placing the authority of Mr. Baron Foster, as well as of a few other such persons, in opposition to that of the writer in the *Quarterly Review*. "The consideration of religion," says Mr. Baron Foster, "does not enter *at all* into the relation between landlord and tenant." (*Lewis*, 130.) The same learned judge declares, that "religious animosities have always been LESS common in the disturbed districts than *in other parts of Ireland*." (*Lewis*, 125.) And Mr. Blackburn declares that "the resistance made to landlords who wanted to dispossess their tenants *is not AT ALL influenced by the religion of the landlord.*" (*Lewis*, 129.) Elsewhere Mr. Baron Foster says, "that the proximate cause of *all the disturbances* which have existed in Ireland of late years, has been the *extreme physical misery* of the *peasantry*, coupled with their being *called upon to pay different charges* (rent, tithes, &c.) *which it was often impossible* for them to meet."<sup>\*</sup>

Mr. Francis Blackburne says, in his evidence before the House of Commons in 1824, that the disturbances of 1823, for the punishment of which he himself sat as judge under the Insurrection Act, were the consequence of the fact that "the *landlords and the clergy of the Establishment continued to exact in peace the rent and tithes which had been promised in war;*"† that being, we suppose, their version of the passage: "In pace uti sapiens parare idonea bello."

In the same report, pp. 5-6, he says, "The Insurrection of 1823 proceeded from *local causes*, and the *condition of the lower orders*, which is *more miserable than can be described*."

Major Willeox, Chief-Magistrate of Police, says, in his evidence before the House of Lords in 1824, page 56, "that he *never heard of any religious distinctions among the peasantry.*"

Major Warburton says, "that the outrages were *equally levelled against Catholics and Protestants.*"—*H. of Lords*, 1824, p. 78. *Lewis*, 133.

Mr. Serjeant Loyd, who administered the Insurrection Act in the county of Cork, says, "that he *never heard of any*

\* Evidence, House of Lords, 1825, p. 53.

† Evidence, House of Commons, 1824, p. 58.

*distinction between Protestants and Catholics in the commission of outrages.*"—*Ibid.* p. 112. *Lewis*, 133.

Colonel Rochford says, "that the attacks were made without any reference to the religion of the parties who were the objects of the attack."—*H. of Commons*, 1832, 1075–9. *Lewis*, 134.

Matthew Singleton, Esq. Chief-Magistrate of Police, says, "In the county of Galway, the majority of attacks must have been made upon the ROMAN CATHOLICS, as they are the majority of the population, but no difference is made on account of religion."—*Ibid.* 4118–19. *Lewis*, 136.

Mr. Baron Foster says that "religious animosities have been always LESS COMMON in the disturbed districts than in the other parts of the country."—*Lewis*, 125.

Mr. Justice Day states, "that the recent disturbances in Ireland had *not anything to do with religion.*" (*Ibid.* 126.) The same learned judge says that "religion is TOTALLY OUT OF the case; and that the outrages are committed with the most perfect impartiality, as they are perpetrated *by and upon the lower classes*, amongst whom, in the south of Ireland, the Protestants are scarcely ONE IN A HUNDRED."—*Lewis*, 127.

The Rev. Mortimer O'Sullivan says, in his evidence before the House of Commons in 1825, "the disturbances commenced in the struggles of poverty, and of course it was principally a war against property."—*Ibid.*

Major Powell, Inspector of Police for the province of Leinster, says "that in his experience the outrages were directed EXCLUSIVELY against the Catholics, as there were scarcely any Protestants, except of the higher classes, in the part of the county to which he referred."—*H. of Lords*, 1824, p. 101. *Lewis*, 130–1.

It is rather singular, however, that some of the witnesses, in slight opposition to the general tenor of the evidence, depose to the existence of some degree of partiality upon this subject. The partiality, however, is truly Irish, and operates in a direction which will probably surprise the English reader: thus Mr. Cahill (Crown Prosecutor for Tipperary) says that "there is not the slightest degree of a religious character about the outrages, except that the Protestants in Tipperary are spared a good deal more than the Catholics."\* Mr. John Bray says, "they visit the houses of the Protestants to take arms: but the Catholics are more exposed to personal outrages.

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\* *House of Commons*, 1832, Nos. 7441–44

Supposing a Protestant farmer (where such exist) and a Roman Catholic to violate the laws of Captain Rock, the Catholic is more likely to be punished than the Protestant."\*

The candid reader will perhaps think it quite superfluous to add anything to the preceding testimony. It will however be desirable to produce upon this point the evidence given before the committee of 1839, by the crown solicitors of the six circuits into which Ireland is divided. These gentlemen are Mr. Kemmis, Mr. Hamilton, Mr. Barington, Mr. Geale, Mr. Hickman, and Mr. Tierney. Mr. Kemmis says that upon his (the Leinster) circuit, outrages are *never* committed upon account either of *religion* or *politics*. (Evid. Rod. Com. 6817-19.) Mr. Hamilton says, that upon his (the north-eastern) circuit, *no outrages* are ever committed ~~against~~ persons on account of their *religion* (9100.) Mr. Hickman says that in his (the Connaught) circuit, he never knew of late years a *single offence* committed against any one upon account of his *religion* (8404.) Mr. Piers Geale, of the home circuit, says that it scarcely ever happens that religion has *anything* to do with *outrages* upon that circuit; and Mr. Barington declares that he never knew upon his circuit of *any* outrage having been directed against *any man* on account of his *religion* (7435.) Mr. Tierney appears not to have had his attention expressly drawn to the subject of religion. He states, however, in answer to a question upon another subject, that the *prevailing cause of outrages* upon the north-western circuit is the letting and disposition of land, and the *dispossessing of tenantry and occupiers* (7728.) Of these gentlemen, Mr. Tierney has been in office about thirteen years, Mr. Hamilton about seventeen, Mr. Geale, Mr. Barington, and Mr. Hickman, each about twenty-six, whilst Mr. Kemmis' experience extends over a period of nearly forty years, during which, as he stated before the committee, he never missed a circuit. They are *all Protestants*, and all we believe, staunch conservatives, except one or two, who are moderate whigs. Yet each of these gentlemen affirms, concerning his own district, that the outrages therein committed were the result of *destitution and oppression*, and of causes *merely animal and territorial, without any admixture of religious or political inducements*. Nothing certainly was ever more true than the observation of Mr. Lewis, that "the absence of all religious hostility in the outrages committed by the Whiteboys is established by the most unvarying and unimpeachable testimony."\*

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\* House of Commons, 1832, 3501-2.

Notwithstanding all this evidence, the political Heereboord informs us (p. 158), "that the outrages are employed as much against heresy as against the landlords." We are told in page 165, that the Catholics are all taught, in their education, that the Protestants long to murder every Catholic. In page 163, we are told, that the landlords are for the most part Protestants, and that in consequence of this circumstance, "no beneficence of personal character is able to shield them from attacks." We are further informed, that the Catholic tenantry thirst so eagerly for the blood of their Protestant landlords, that "they are ready to spring upon them at a moment's warning (p. 165); and the very same writer who tells us all this informs us, in page 164, that these same Catholic tenants *have such an affection for their Protestant landlords*, that it is NOTORIOUSLY and GENERALLY the fact that *they prefer to live under them, rather than under Romanists*; and in a note to this passage we are told that the *whole Catholic tenantry* of one estate, which was then to be sold, went in a body to the *Protestant clergyman*, and entreated him to buy the estate, that they may *not be transferred to a Catholic landlord*. Whilst this identical writer tells us, in p. 123, that "religious dissension meets us at every step upon the very surface of Irish affairs, and that the *separation between landlord and tenant cannot be cured, BECAUSE ONE IS A PROTESTANT AND THE OTHER A ROMANIST !*"

Yet notwithstanding this *incurable separation* produced by the priest, upon the ground of religion, between the tenant and the landlord, the tenants "with a wonderful unanimity distrust the priest;" and invariably, and "as a matter of course," recur in all their difficulties to the Protestant landlord, from whom they are "incurably separated," but whom they "ordinarily" call upon to protect them against the frauds of the priest (*Quarterly*, March 1841, p. 558); but whom they murder upon receiving a hint to that effect from the priest. (*Ibid.* p. 567.) Concerning which priest, we are told (p. 580) that the peasantry are "disgusted with his curses, wearied with his extortions, smarting under his horsewhip! and under his fist!! and enraged by his interference between themselves and their landlord." But unto whom it seemis they also recur invariably for protection against the landlord, and that for the good and sufficient reasons following, that is to say, because the priest "has access to their cabins at all hours, and mixes with them on terms of intimacy; is one of themselves, sprung from them, and bred up in the same feel-

ings, speaking the same language, and the first to undertake their cause, when a landlord is to be thwarted by them and a tenant kept in possession" (p. 560). The same philosopher who has enlightened us hitherto upon this subject, states (*ibid.* p. 563) that "popery in Ireland is *the worship of a priest*;" and that the people themselves when asked whom they worship (a very pertinent interrogatory) generally answer, "my priest is my God." Concerning the same peasantry, the very same philosopher tells us (p. 580), "that they are most anxious to read the Bible, contented to have their errors [in religion] pointed out to them, and wonderfully quick in abandoning the said errors; *naturally!* full of confidence in the Protestant landlords and clergy" [sucking in the confidence with their mother's milk, or having, perhaps, what are called innate or instinctive ideas in that direction]; "convinced of the superiority of Protestants; and dissatisfied with the darkness, *coldness*, and fearfulness of their own creed of purgatory and penances, and extreme unction and confession." Such are the persons who bestow exclusive worship on a priest with whose curses they are moreover disgusted, with "whose extortions they are fatigued; whilst they smart under the infliction of the whip and fist of this their divinity, and are ready to cast off his yoke."

Such a farrago of idiotical contradictions in so eminent a publication as the *Quarterly Review*, has really something of the appearance of a prodigy.

Before we pass from this part of the subject, we may as well mention that the principal parts of the article in the *Quarterly* have been purloined from the digest of Messrs. Phelan and O'Sullivan. That work is also one of the compositions whose titles are placed at the head of the article in the *Quarterly*, and is referred to by the reviewer as one of the principal authorities upon which he relies. Now any person who will take the trouble to look into the table of contents to part I of that work, will read, in page ix, the following words:— "Section I. chapter I. Condition of the Peasantry; *Excessive rents*; Peasantry grateful and charitable.—Chapter III. Disturbances; *Little disturbance where the peasantry are comfortable*.—Chapter IV. *Causes of the disturbances NOT RELIGIOUS*." Such are the sentiments of Mr. O'Sullivan *out of Exeter Hall*.

In page 129, the reviewer says that "Dr. Doyle confessed, before the House of Lords, that the Romish Church in Ireland is considered partly as a *mission*, and is therefore under the con-

*trol of the Propaganda.*" The reader, after what he has already seen, will not be at all surprised to hear that the language of Dr. Doyle was *diametrically the reverse* of that which has been imputed to him by the reviewer, who, perhaps, expected to escape detection by fixing no reference to the passage which he professed to cite. The following are the words of Dr. Doyle upon the subject, taken from page 322 of "The Evidence given before the House of Lords and Commons in 1824-25." Published by John Murray, Albemarle Street. "The Church in Ireland is NOT a mission, but a regularly constituted hierarchy:—and there is no reason why it should be considered a mission, except, that *for the sake of convenience and dispatch*, the business is transacted through the Propaganda. We do not therefore consider our country as a missionary country, such, for instance, as England is, for we have a regularly constituted hierarchy." Dr. Doyle therefore states, that *except* the fact that the Irish Church, for the sake of convenience, transacts its business through the Propaganda, there is no reason for considering Ireland a missionary country: and "honest Iago" represents the Dr. as stating absolutely that Ireland is a mission, and that its business is *therefore* transacted through the Propaganda. Dr. Doyle's evidence upon this point is correctly copied into the digest of Messrs. Phelan and O'Sullivan, (Part xi. page 51.)

In page 126 he writes the following words. "Ask Dr. Doyle if any amelioration in the condition of the people can take place *until his Church has recovered its supremacy*, and he answers as he answered before the committee (Lords' Report, April 1825, p. 512), 'I think, before God, it is impossible.'" The reader will, of course, observe immediately, that the words which are printed in italics are the most important words in the passage. Now, those words have been *fabricated* by the author of the article called "Romanism in Ireland":—we distinctly charge him with having *deliberately falsified* the evidence which he professes to cite. The evidence which he pretends to quote is to be found—not at page 512 of the Lords' Report (which contains the testimony of another person), but at page 316. It is copied from the digest of the Rev. Messrs. Phelan and O'Sullivan (part i. p. 361), and these gentlemen have, through mistake, referred to page 512, instead of page 316, of the original report. The Professor, who evidently read it in the digest, copied the wrong reference from Mr. Phelan, and falsified the passage upon his own!

The extract in the digest is, however, correctly given, and is in the following words :—

“ Right Rev. J. Doyle, D.D.

“ You conceive the principal source of the amelioration of the condition of the poor in Ireland must be derived from increased habits of industry ? ”

“ ‘ I think so.’

“ ‘ Are you to be understood, that you conceive that this desirable result cannot be expected to take place, unless *what is generally called the Catholic question be settled?* ’ ”

“ ‘ I think, before God, it is utterly impossible.’ ”

In professing to cite this evidence, the rev. reviewer has deliberately struck out the words “*unless what is generally called the Catholic question be settled;*” and deliberately falsified the passage by inserting in their place the words “*until his (i. e. the Roman Catholic) Church has recovered its supremacy.*” We ask any honourable person, what is the appropriate punishment of conduct so infamous? Such persons as are acquainted with the subject, are well aware that the sentiments expressed by Dr. Doyle, as well as by all the other ecclesiastics and laymen of Ireland, who were examined upon this point before the legislature, were diametrically opposite to those which have been falsely attributed to Dr. Doyle by the unprincipled writer of the *Quarterly Review*. In the very report to which that writer referred, Dr. Doyle expressly states, that he “never discovered in others, and *never entertained himself, any disposition whatever* to be put into possession of any part of the revenues or property belonging to the Established Church: that if it were offered to him, he would not accept it.” (Evidence before the Lords and Commons in 1824-5; published by John Murray, p. 562.) He stated at the same time, that, even if such a disposition existed on the part of the Roman Catholic clergy in Ireland, it would, unquestionably, not find any countenance or favour on the part of the laity of that communion, who would be, if possible, more averse to it than the clergy. (*Ibid.*) In page 323 he states that he would be averse to receiving any emolument or compensation whatever from the crown, and should prefer to receive the slender support which he received at present from the people whom he served: whilst in another place he states (*Digest of Messrs. Phelan and O'Sullivan, part xi. p. 208*) that he would consider the introduction of Roman Catholic bishops into the legislature of this country as destructive (to use no weaker

term) : that it was a thing foreign from the thoughts of the clergy, and that he hoped God would prevent it from ever entering into the thoughts of others.

Of the same nature is the following attempt to fix a charge of murder, by an insinuation as false as it is horrible. "Is there generally, in parishes where the priests choose to employ it, a body of men who understand the hint given from the altar, and by whom it is executed? *Was Lord Norbury, for instance, denounced before he was murdered?*" (Quart. p. 159.) No sort of evidence, nor even any reference, is given in support of this "bloody and brutal" insinuation ; but we suppose the writer to allude to a statement, made by Captain Vignolles before the Roden committee, and which statement was to the effect, that some two or three months before Lord Norbury's murder, a priest had from the altar denounced the conduct of two or three persons, *whose names he did not mention*, but one of whom he designated as a cunning man, another as an insinuating one, and another as something else. Of these persons one, according to the story, was supposed to be Lord Norbury. For the remainder of the story, Captain Vignolles' account of the transaction is (3062), that his information of the alleged oration of the priest was *from hearsay* ; that (3689) his informant was a person who *had been* a magistrate, but had been *put out* of the commission ; that (3691) this informant *knew nothing of it himself*, but had *his* information from *another* person ; that (3708) Captain Vignolles did not know the name of the person who informed the person who informed Captain Vignolles ; that Captain Vignolles (4675) did not know whether the parish in question was in the King's county or in Westmeath ; that he (3695) did not know whether the priest in question was the parish priest or the curate, and did not even know the *name* of the priest ; that (3675) the government, on receiving a statement from Captain Vignolles' informant upon the subject, made a reference to some persons in the county, whether Westmeath or the King's county, as to the truth of the story ; and that (3693) the consequence of the reference was *that SIXTEEN AFFIDAVITS were made stating the story to be FALSE—NO AFFIDAVIT AT ALL having been made in support of it!* (3690.) It may be observed, in concluding this subject, that one of the persons who was said to be alluded to in the speech of the priest was Lord Charleville. Whether he was the "cunning" person, or the "insinuating" one, we know not. Whichever he was, he does not seem to have ever mentioned this subject, and although upon a very recent oc-

casion he advanced a complaint in the House of Lords against Lord Normanby, for the manner in which the enquiry about the death of Lord Norbury was conducted, he did not upon that occasion, nor, according to our knowledge, upon any other whatever, make the slightest allusion to the invention which was communicated through Captain Vignolles to the Roden committee; of which committee, it is moreover to be observed, that Lord Charleville was himself a most industrious member. It is a matter of notoriety, that the present Lord Rosse entered into a correspondence with the Marquis of Normanby, which was published in the *Times* of the 26th ult. upon the subject of the murder of Lord Norbury, who was a "friend and connexion" of Lord Rosse. In the course of this correspondence, Lord Rosse, though complaining of the conduct of the priests in other respects, makes no allusion whatever to the story of the denunciation; whilst Lord Normanby, in his answer to Lord Rosse, reminds his Lordship that immediately after the murder of Lord Norbury, the Earl of Charleville "paid a just tribute to the impressive address made to the people by the Catholic rector of the parish upon the character and conduct of the murdered nobleman."—Since the preceding observations were written, we find that in the last number of the *Quarterly* a reference is made in support of the statement about Lord Norbury's denunciation to No. 3671 to 3793, 6539 to 6553, 10155 and 14180 to 14192 of the evidence given before the Roden committee. The evidence from 3671 to 3703 is that of Captain Vignolles, of which the substance has been laid before the reader. The testimony from 6579 to 6553 is that of Mr. Uniacke, who was represented as the third person indicated in the imaginary denunciation of the priest. Mr. Uniacke's evidence is, that he knew nothing of it except from mere hearsay, and *did not even hear at what chapel it was supposed to have occurred.* He adds, that all the respectable Catholics in the neighbourhood felt horrified at the occurrence of the murder. Number 10155 is a question addressed to Mr. Howley, and enquiring whether he knew anything to justify such a denunciation "supposing that it had actually occurred?" Which question the learned gentleman very properly answered in the negative. The last evidence referred to is that of Mr. Drummond from 14180 to 14192, and the statement which he makes is, that he *never heard that such a fact had been communicated to the government at all;* that he had no recollection whatever of having ever received any such information; that if he had received any

such information he would, as a matter of course, have called the attention of the Inspector-General of Police to the subject. That, in fact, he did receive information of hostile intentions towards Mr. Garvey, Lord Norbury's agent, and had thereupon taken immediate steps to make him aware of his danger and secure him all possible protection, and that the government would have pursued the same course in Lord Norbury's case, if they had received the same intelligence, but that he did not recollect that any such intelligence had ever been communicated, either to himself or to any other member of the government.

The want of space prevents us from proceeding farther with the subject at present, and we must, therefore, defer the continuation of our anatomy to the next number of the *Dublin Review*.

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## NOTICES OF BOOKS.

*White's Confutation of Church of Englandism, and correct Exposition of the Catholic Faith; translated from the original Latin by Edmond Wm. O'Mahoney, Esq.* Dolman, 1841.

RESPECTING this learned and most useful work, we are inclined to adopt the opinion recorded on the blank page of the original, which appears to have been preserved by the noble family of the Earl of Shrewsbury, and is now in the hands of the translator :—

“Ex libris Gulielmi Talbot.

“ This is the best refutation of the doctrine contained in the Thirty-nine Articles of the Church of England extant. It should be translated into the vernacular tongue of the nation whose creed it effectually overthrows.” (Signed) William Talbot. The pious wish has been fulfilled, and a translator has been found, who has put forth the work under such auspices as cannot fail to ensure its wide circulation. The plan of the work is most appropriate for the present crisis. The Rev. Alexander White was a clergyman of the Anglican Church in the reign of Charles I, whose intimate friend he was, and to whom he sincerely looked up, as to the true head of the true Church. The events of the times awakened him roughly from his delusion. Abroad he could find no trace of that form of religion which he believed to be the only true one. At home, if indeed it was to be found, its state was such as to leave him no confidence in its usefulness or duration ; yet he was firm in the faith that the Catholic Church could not perish, and he resolved to seek in the primitive ages of Christianity a clue by which to search for her. For

seven years he gave himself up to the study of the Latin and Greek fathers, giving the preference to those of the five first centuries. "He commenced," we are told, "a long and arduous course of study, during the progress of which he minutely searched, diligently compared, and carefully weighed, the texts of the Holy Scripture. He also read with the utmost attention the comments of the *early* fathers, doctors, and ecclesiastical historians, upon the sacred volumes—and he invariably noted down whatever appeared to him of importance, either in Scripture, the fathers, or in history."—(p. xi. pref.) With these invaluable notes we are now presented—the plan of the work is simply the confutation of the Articles of the Church of England, taken not *seriatim*, but according to the order of the subjects—and not only is the confutation irresistible in itself, but it has another value, as proving the sense put upon the articles in those earlier days; and how unavailing to the members of the community, or to herself as a Church, must be that occult meaning which some of the learned of our times would attribute to them, but which was undiscoverable by such a mind as that of our industrious and pious author. 'There is the same charity and depth in the execution as in the design of this book; we do not think it contains a harsh or an irrelevant expression, and the style of the translation, which is easy, flowing, and grave, completes the advantages of this valuable addition to Catholic controversy.'

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*Catechetical Instructions on the Doctrines and Worship of the Catholic Church; by John Lingard, D.D. Second edition. Dolman, 1840.*

We are not surprised that this little book has so soon reached a second edition, for it would be difficult to find in any other work so much information conveyed in so short, impressive, and useful a manner. It is offered by the learned author "to the young who are preparing themselves for their first communion, and to the more aged, who have been suffered to grow up to manhood without a competent knowledge of their religion;" and in his peculiarly terse and pointed style, he both explains the plan, and sums up the results of the work, as follows—

"What is the sum of the instruction contained in this book?"

"Part the first, explains the doctrines, which we must believe. 'Without faith it is impossible to please God.'"—(Heb. xi. 6.)

"Part the second explains the commandments which we must observe, "If thou wilt enter into life keep the commandments."—" (Matt. xix. 9.)

"Part the third explains the manner in which we must worship God and apply to him for mercy and grace. 'The Lord thy God shalt thou worship, and him only shalt thou serve.'"—(Matt. iv. 10.)

The form of the work is a simple, but admirably arranged catechism, to which are appended explanatory notes, in which the results of Dr. Lingard's learning, piety, and thought, are so clearly and simply

given, that no class of readers can fail to comprehend or to be benefitted by them ; for there is a precision in Dr. Lingard's mode of stating his ideas, and a force in his style, calculated to make a strong and prompt impression upon the mind.

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*A Digest of the Penal Laws, passed against Catholics ; with historical notes and illustrations ; by the Rev. J. Waterworth.* Dolman, 1841.

As much of horror and wickedness are comprised within the few pages of this little work as the mind can well fancy ! Certainly the persecution of Catholics under Henry VIII and the succeeding monarchs, had a degree of atrocity, beyond any other that has taken place from the beginning of the world—the persecutions in the early ages (and the same may be said of that which formed the chief, if not the only blot on Mary's reign) were open and bold,—it was frequently forbidden to seek for or to denounce the Christians ; and we find it continually mentioned in the ancient martyrologies, that they were warned not to criminate themselves, by judges who seemed touched with a desire to save them. When the noble constancy of the victims had (according to the notions of the times) violated the majesty of the law, and they were dragged to torture and death, they were permitted openly to glorify God by their heroism, and seldom denied the sympathy of friends. But the grinding tyranny of the *Reformation*, as base as it was cruel, wound itself into all the minutiae of private life, invaded the most sacred rights—profaned the most holy ties and duties—recognised no sanctity in any human connexions or feeling ; every relation of life was made a source of oppression—no principle of justice was adhered to, and the blindest, most ignorant, and savage rapacity was cloaked under an hypocrisy that the devil himself could not easily surpass. What a fearful catalogue of laws have we here ! The reverend compiler tells us that they were collected “as a method of replying to the accusation of persecution brought against Catholics.” It will, we think, answer a far better purpose, if, in reminding us of the sufferings of our forefathers, it teach us to feel thankful for our “earthlier happy” lot, and in our thankfulness to correspond as freely with the exigencies of our times, as they did with those that fell upon them ; or, if we may not yet lay aside the memory of strife, let us turn it to profit, by recollecting that there are even now many things in the laws of our country which are disadvantageous and unjust to the Catholic body ; let these be examined, collected, and made known, and in the end they must be amended.

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*The Young Communicants, written for the use of the Poor School Bermondsey ; by the author of Geraldine.* Dolman, 1840.

In this beautiful little book we recognise the talent of the gifted author ; the style is simple indeed, and the subject limited, compared

with what she has hitherto undertaken; but this lady has the art of throwing her whole soul into whatever she writes, and the grace and polish of her style are not to be mistaken even in her slightest compositions.

During her pious labours in the schools, she has penetrated deeply into the minds of the children by whom she is surrounded, and this insight has enabled her to bring down her explanations to the level of their capacities, while she has thrown into them, and into the touching little story by which they are introduced, a sweetness and fervour, that must awaken their best feelings. We should be very glad to have more books of this description for the use of Catholic children.

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*Stories about Alfred the Great, for the amusement and instruction of children; by A. M. S. Dolman.*

These little fragments of history are simply and pleasingly given; they are likely to interest children without misleading them; as the stories are taken from the best authorities, and are written in a Catholic spirit.

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*The Truths of the Catholic Religion, proved from Scripture alone; by Thomas Butler, D. D., second edition. Dolman, 1841.*

A second edition of the Rev. Dr. Butler's lectures will be welcome to all Catholics, bearing, as they do, the stamp of his diligence, his charity, and his experience. How beautiful is the diversity of gifts amongst the defenders and ministers of our holy religion! The laborious parish priest has not scrupled, as he tells us, to avail himself of the learning of Dr. Wiseman, and other of his gifted contemporaries, who have had greater leisure for study; but he has given a peculiar character to the arrangement of the fruits of their research and his own, in a practical, plain, and full form of explanation, which must render them accessible to all minds. There is also a great anxiety manifested to meet every objection that can be brought against his doctrine, separate chapters being generally allotted for that purpose. This does not improve the logical character of the work; for generally speaking, the mere setting forth and establishing a truth, overthrows all that can reasonably be brought against it; and when a Catholic descends to answer other objections separately, he does so on untenable ground—it being a well known fact "that a fool may ask questions which a wise man cannot answer." But Dr. Butler has had great experience of the obliquity and inconsistency of the human mind, and has prepared himself to grapple with it: his work will be an invaluable assistance to those who are thrown into promiscuous Protestant society. Dr. Butler evidently agrees with Dr. Wiseman in thinking that the mystery of the Eucharist (considered under both heads, as a sacrament and a sacrifice) should be the first doctrine presented to, and most strongly enforced upon the minds of our dissenting brethren, as involving that charity which is the bond of peace

and union, and accordingly Dr. Butler has devoted to a defence of it the chief part of his first volume. We do not quite understand the arrangement of the remainder, the rule of faith, upon which all minor differences are generally admitted to depend, being reserved for the concluding chapter. But this is of small consequence ;—this all-important subject has been treated with admirable ability.

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*The New Month of Mary, or reflections for each day of the month, on the different titles applied to the Holy Mother of God in the Litany of Loretto : principally designed for the month of May, by the very Rev. P. R. Kenrick.* Dolman, 1841.

The title of this work which we have given at length, will be its best recommendation. In addition to the reflection mentioned (and which is prefaced by one of the invocations of our blessed Lady, and the text upon which the title is based), a short example is given of the saints who have had recourse to her, and of the efficacy of her intercession. This is followed by a few prayers, varied according to the invocation, and the whole forms a beautiful devotion suited for each day in the month, and not too long to be practised by families, to whom we are sure it will be highly acceptable.

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*A Journey from La Trappe to Rome ; by the Reverend Father Baron Geramb.* Dolman, 1841.

*Reminiscences of Rome ; or a religious, moral, and literary view of the Eternal City, by a member of the Arcadian Academy.* Jones, 1840.

There is something piquant and entertaining in the writings of Father Geramb, which will generally ensure a welcome to any publication of his ; it would scarcely be decorous to call them ‘amusing,’ fraught as they are with high-toned enthusiastic piety ; yet it cannot be denied that one is tempted to smile at the *naïveté* with which we are permitted to trace the *ci-devant* courtier, the gay, gallant, somewhat bombastic Frenchman, under the garb of the Trappist monk ; with the utmost simplicity we are admitted to view the little struggles that arise in his mind, when he strives to reconcile the two characters. It is impossible not to sympathise with the good man when he sits down in despair before his six trunks, wondering what he ought to do next, and whether the confusion lying around him will ever get reduced into them ; wondering next what business a Trappist monk has to have six trunks at all, to which he reconciles himself by the consideration that they were all nearly filled with packages entrusted to him ; regretting a little his formerly numerous attendants, and winding up with the pious self-accusation, that he had not used them well, and consequently deserved to wait upon himself ; whereupon he crams in his packages. The same simplicity of character runs through the graver parts of his work, and, joined to an

ardent and observing turn of mind, prevents any thing he writes from being dull or trivial, and those who have delighted in his pilgrimage to the Holy Land will be glad to follow the good father to Rome, although there is little in his account of it, which will not be familiar to most of his readers. The second publication is one which we think no traveller to Rome should be without ; it is fraught with extensive and various information upon the government and institutions, the public buildings, charities, libraries, and museums, in Rome ; nor is this information of that hackneyed kind, which forms a common stock for travellers in general. Fragments of history, and curious anecdotes connected with the old buildings, treasures of antiquity, unnoted amongst the incalculable wealth of the Roman museums, and above all those churches, unnoticed in and around Rome, which would be so wonderful any where else ; all these the author has seen leisurely, with the feelings of a Christian and of a man of learning and refinement, and while doing so he has noted down many things in the manners of the people, their pious observances, and the customs pursued in the public places, and many pieces of learned and literary gossip which are well worth preserving. There is not in this work the slightest trace of what is called book-making ; the type is small, the appearance of the work unpretending ; but there is far more in it than in many of those dashing three volumed descriptions, in which modern travellers so kindly patronise the eternal city. This author has evidently *lived* in Rome : although well able to throw light upon its heathen antiquities, he has delighted chiefly in tracing the influence of Christianity upon this capital of Christendom ; many instances are adduced (and some we think new ones) of the care with which her various treasures have been preserved by the Papal court—a government which, whatever be its merits, would seem to have that of entering into, and corresponding more completely with the feelings of its people than perhaps any other.

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*Corporal and Spiritual Works of Mercy, by Miss Agnew.* Dolman, 1840.

This beautiful work is completed ; which we are inclined to regret, as we would willingly see a greater number of these admirable illustrations of *Mercy* in all its functions.

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We have to acknowledge the receipt of numerous works, which we propose to notice in our next number ; and for which we regret to have no sufficient space at present.

END OF THE TENTH VOLUME.

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TO THE

## TENTH VOLUME OF THE DUBLIN REVIEW.

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